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THE HABITAT AGENDA: GOALS AND PRINCIPLES, COMMITMENTS AND GLOBAL PLAN OF ACTION

Note by the Secretariat

1. The draft Habitat Agenda, as approved by the Preparatory Committee for the United Nations Conference on Human Settlements (Habitat II) at its third session, which was held in New York from 5 to 16 February 1996, is hereby transmitted to the Conference for further consideration.

2. Pursuant to a decision of the Preparatory Committee at its third session, proposals received during that session in regard to amended or alternative texts of chapters II (Goals and principles), III (Commitments) and IV, section D (Capacity-building and institutional development) are also being forwarded to the Conference for further consideration. They will appear as an addendum to the present document. Additional proposals to other sections of the draft Habitat Agenda will appear in document A/CONF.165/CRP.1.

3. As requested by the Preparatory Committee, information on the exact status of negotiation of each particular section of the draft Habitat Agenda is contained in the note introducing each section and in footnotes within the text.

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* A/CONF.165/1; to be issued.

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Draft Habitat Agenda

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Chapter I

PREAMBLE

(Paragraphs 1-12)

Note on the preamble

All the paragraphs (paras. 1-12) of chapter I (Preamble) submitted by Working Group II in documents A/CONF.165/PC.3/L.3 and Corr.1 were formally adopted, as amended, by the Preparatory Committee for the United Nations Conference on Human Settlements (Habitat II) at its 6th plenary meeting, on 16 February 1996.

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Chapter I

PREAMBLE

1. We recognize the imperative need to improve the quality of human settlements, which profoundly affects the daily lives and well-being of our peoples. There is a sense of great opportunity and hope that a new world can be built, in which economic development, social development and environmental protection as interdependent and mutually reinforcing components of sustainable development can be realized through solidarity and cooperation within and between countries and through effective partnerships at all levels. International cooperation and universal solidarity, guided by the [purposes and] principles of the Charter of the United Nations, and in a spirit of partnership, are crucial in order to improve the quality of life of the peoples of the world.

2. The purpose of the second United Nations Conference on Human Settlements (Habitat II) is to address two themes of equal global importance: "Adequate shelter for all" and "Sustainable human settlements development in an urbanizing world". Human beings are at the centre of concerns for sustainable development, including adequate shelter for all and sustainable human settlements, and they are entitled to a healthy and productive life in harmony with nature.

2 bis. As to the first theme, a large segment of the world's population lacks shelter and sanitation, particularly in developing countries. We recognize that [the right to adequate housing, which includes] access to safe and healthy shelter and basic services, is essential to a person's physical, psychological, social and economic well-being and should be a fundamental part of our urgent actions for the more than 1 billion people without decent living conditions. Our objective is to achieve adequate shelter for all, especially the deprived urban and rural poor through an enabling approach to the development and improvement of shelter that is environmentally sound.

2 ter. As to the second theme, sustainable development of human settlements combines economic development, social development and environmental protection, with full respect for all human rights and fundamental freedoms, including the right to development, and offers a means of achieving a world of greater stability and peace, built on ethical and spiritual vision. [Democracy, and transparent, representative and accountable governance and administration in all sectors of society are indispensable foundations for the realization of sustainable development. However, the lack of development and the existence of widespread absolute poverty inhibit the full and effective enjoyment of human rights and render fragile democracy and popular participation.]

3. Recognizing the global nature of these issues, the international community, in convening Habitat II, has decided that a concerted global approach could greatly enhance progress towards achieving these goals. [The cross-national and global impacts of unsustainable patterns of production and consumption, particularly in industrialized countries, environmental degradation, demographic changes, widespread and persistent poverty, and social and economic inequality are clearly visible.] The sooner communities, local governments, partnerships among the public, and private and community sectors join efforts to create

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comprehensive, bold and innovative strategies for shelter and human settlements, the better the prospects will be for the safety, health and well-being of people and the brighter the outlook for solutions to global environment and social problems.

4. Having considered the experience since the United Nations Conference on Human Settlements (Habitat), held in Vancouver, Canada in 1976, Habitat II reaffirms the results from relevant recent world conferences and has developed them into an agenda for human settlements: the Habitat Agenda. The United Nations Conference on Environment and Development - the Earth Summit - held in Rio de Janeiro in 1992, produced Agenda 21. At that Conference, the international community agreed on a framework for the sustainable development of human settlements. Each of the other conferences, including the Fourth World Conference on Women (Beijing, 1995); the World Summit for Social Development (Copenhagen, 1995); the International Conference on Population and Development (Cairo, 1994); the Global Conference on the Sustainable Development of Small Island Developing States (Barbados, 1994); and the World Conference on Human Rights (Vienna, 1993), as well as the World Summit for Children (New York, 1990) and the World Conference on Education for All (Jomtien, Thailand, 1989) also address important social, economic and environmental issues, including components of the sustainable development agenda, for which successful implementation requires action at the local, national and international levels. The Global Strategy for Shelter to the Year 2000, adopted in 1988, which emphasizes the need for improved production and delivery of shelter, revised national housing policies and an enabling strategy, offers useful guidelines for the realization of adequate shelter for all in the next century.

5. During the course of history, urbanization has been associated with economic and social progress, the promotion of literacy and education, the improvement of the general state of health, greater access to social services, and cultural, political and religious participation. Democratization has enhanced such access and meaningful participation and involvement for civil society actors, for public-private partnerships, and for decentralized, participatory planning and management, which are important features of a successful urban future. Cities and towns have been engines of growth and incubators of civilization and have facilitated the evolution of knowledge, culture and tradition, as well as of industry and commerce. Urban settlements, properly planned and managed, hold the promise for human development and the protection of the world's natural resources through their ability to support large numbers of people while limiting their impact on the natural environment. The growth of cities and towns causes social, economic and environmental changes that go beyond city boundaries. Habitat II deals with all settlements - large, medium and small - and reaffirms the need for universal improvements in living and working conditions.

6. To overcome current problems and to ensure future progress in the improvement of economic, social and environmental conditions in human settlements, we must begin with a recognition of the challenges facing cities and towns. According to current projections, by the turn of the century, more than 3 billion people - one half of the world's population - will live and work in urban areas. The most serious problems confronting cities and towns and their inhabitants include inadequate financial resources, lack of employment

opportunities, spreading homelessness and expansion of squatter settlements, increased poverty and a widening gap between rich and poor, growing insecurity and rising crime rates, inadequate and deteriorating building stock, services and infrastructure, lack of health and educational facilities, improper land use, insecure land tenure, rising traffic congestion, increasing pollution, lack of green spaces, inadequate water supply and sanitation, uncoordinated urban development and an increasing vulnerability to disaster. All of these have seriously challenged the capacities of Governments, particularly those of developing countries, at all levels to realize economic development, social development and environmental protection, which are interdependent and mutually reinforcing components of sustainable development - the framework for our efforts to achieve a higher quality of life for all people. Rapid rates of international and internal migration, as well as population growth in cities and towns, and unsustainable patterns of production and consumption raise these problems in especially acute forms. In these cities and towns, large sections of the world's urban population live in inadequate conditions and are confronted with serious problems, including environmental problems, that are exacerbated by inadequate planning and managerial capacities, lack of investment and technology, and insufficient mobilization and inappropriate allocation of financial resources, as well as by a lack of social and economic opportunities. In the case of international migration, migrants have [particular] needs for housing and basic services, education, employment and social integration without a loss of cultural identity, and they are to be given adequate protection and attention within host countries.

7. In the process of globalization and growing interdependence, rural settlements represent a great challenge and opportunity for renewed developmental initiatives at all levels and in all fields. Many rural settlements, however, are facing a lack or an inadequacy of economic opportunities, especially employment, and of infrastructure and services, particularly those related to water, sanitation, health, education, communication, transportation and energy. Appropriate efforts and technologies for rural development can help to reduce, inter alia, imbalances, unsustainable practices, poverty, isolation, environmental pollution and insecure land tenure. Such efforts can contribute to improving the linkage of rural settlements with the mainstream of economic, social and cultural life, to assuring sustainable communities and safe environments, and to reducing pressures on urban growth.

8. Cities, towns and rural settlements are linked through the movements of goods, resources and people. Urban-rural linkages have a crucial importance for the sustainability of human settlements. As rural population growth has outpaced the generation of employment and economic opportunities, rural-to-urban migration has steadily increased, particularly in developing countries, which has put enormous pressure on urban infrastructure and services already under serious stress. It is urgent to eradicate rural poverty and to improve the quality of living conditions, as well as to create employment and educational opportunities in rural settlements, regional centres and secondary cities. Full advantage must be taken of the complementary contributions and linkages of rural and urban areas by balancing their different economic, social and environmental requirements.

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9. More people than ever are living in absolute poverty and without adequate shelter. Inadequate shelter and homelessness are growing plights in many countries, threatening standards of health, security and even life itself. [Everyone should be entitled to an adequate standard of living, including adequate food, clothing and housing, and to the continuous improvement of living conditions.]

9 bis. The rapidly increasing number of displaced persons, including refugees, other displaced persons in need of international protection and internally displaced persons, as a result of natural and human-made disasters in many regions of the world, is aggravating the shelter crisis, highlighting the need for a speedy solution to the problem on a durable basis.

9 ter. The needs of children and youth have to be taken fully into account [recognizing the rights, duties and responsibilities of parents and other persons legally responsible for children, consistent with the Convention on the Rights of the Child]. Special attention needs to be paid to the participatory processes dealing with the shaping of cities, towns and neighbourhoods; this is in order to secure the living conditions of children and of youth and to make use of their insight, creativity and thoughts on the environment. Special attention must be paid to the shelter needs of vulnerable children, such as street children, refugee children and children who are victims of sexual exploitation.

9 quater. In shelter and urban development and management policies, particular attention should be given to the needs and participation of indigenous people. These policies should fully respect their identity and culture and provide an appropriate environment that enables them to participate in political, social and economic life.

9 quinquiens. Women have an important role to play in the attainment of sustainable human settlements. Nevertheless, as a result of a number of factors, including the persistent and increasing burden of poverty of women [and gender discrimination], women face particular constraints in obtaining adequate shelter and in fully participating in decision-making related to sustainable human settlements. The empowerment of women and their full and equal participation in political, social and economic life, the improvement of health, and the eradication of poverty are essential to achieving sustainable human settlements.

10. Although many countries, particularly developing countries, lack the legal, institutional, financial, technological and human resources to respond adequately to rapid urbanization, many local authorities are taking on these challenges with open, accountable and effective leadership and are eager to bring people into the sustainable development process. Enabling structures that facilitate independent initiative and creativity, and that encourage a wide range of partnerships, including partnership with the private sector, and within and between countries, should be promoted. Furthermore, empowering all people, especially [members of] vulnerable and disadvantaged groups and people living in poverty, to participate equally and effectively in all activities related to human settlements is the basis for civic engagement and should be facilitated by national authorities. Indeed, the Habitat Agenda provides a framework to enable

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people to take responsibility for the promotion and creation of sustainable human settlements.

10 bis. [Human settlements problems are of a multidimensional nature that has its main roots in poverty and underdevelopment and, in many countries, are aggravated by the scarcity of resources. It is recognized that human settlements are not isolated from the social and economic development of countries and that they cannot be set apart from the need for a favourable international framework for sustained economic growth and sustainable development.]

11. There are critical differences regarding human settlements in different regions and countries and within countries. The differences, specific situations and varying capacities of each community and country need to be taken into account in the implementation of the Habitat Agenda. [International, regional, subregional and national institutional arrangements, including the enhancement of the Commission on Human Settlements and the United Nations Centre for Human Settlements (Habitat) as the global focal point and allocation of resources, are central to the implementation of the Habitat Agenda.]

12. The Habitat Agenda is a global call to action at all levels. It offers, within a framework of goals and principles and commitments, a positive vision of sustainable human settlements - where all have adequate shelter, a healthy and safe environment, basic services, and productive and freely chosen employment. The Habitat Agenda will guide all efforts to turn this vision into reality.

Chapter II

GOALS AND PRINCIPLES
(Paragraphs 13-22)

Notes on the goals and principles

Paragraphs 13 through 22, corresponding to chapter II (Goals and principles) of the draft Habitat Agenda, as presented in document A/CONF.165/PC.3/L.3/Add.1, were submitted by Working Group II to the Preparatory Committee for adoption at its 6th plenary meeting, on 16 February 1996.

Paragraphs 13 through 21 were adopted, as amended, by the Plenary and transmitted to the Conference for consideration, along with a request by the delegation of the United States of America that its alternative proposal for sentences 11 and 12 of paragraph 13 be forwarded to the Conference as a proposed alternative text in paragraph 13. That text appears in document A/CONF.165/L.1/Add.1.

In paragraph 17, the following sentence has been added in brackets as the penultimate sentence in that paragraph: "The preservation of historical monuments and buildings, particularly in the case of those declared by UNESCO as part of the cultural patrimony of humanity, should be assisted through international cooperation." This sentence was adopted by Working Group II at the request of the delegation of Guatemala but, by an oversight, it was not included in document A/CONF.165/PC.3/L.3/Add.1

Paragraph 22 was neither negotiated nor formally adopted by either Working Group II or the Plenary at the third session of the Preparatory Committee. In line with the guidelines read out by the Chairman of the Preparatory Committee to the Plenary at its 6th plenary meeting, paragraph 22 is presented as it appears in document A/CONF.165/PC.3/L.3/Add.1. Alternative text proposals for that paragraph as proposed by delegations and United Nations entities during the third session of the Preparatory Committee and a new paragraph 22 bis proposed by the Group of 77 and China are contained in the addendum to the present document.

At its 6th plenary meeting, the Preparatory Committee considered an additional principle, paragraph 22 ter. It had been introduced but not discussed in Working Group II, and the Working Group decided to submit it to the Plenary in brackets. The Preparatory Committee adopted the paragraph in brackets and transmitted it to the Conference for further consideration (see A/CONF.165/L.1/Add.1).

Chapter II

GOALS AND PRINCIPLES 1/

13. We, the States participating in the United Nations Conference on Human Settlements (Habitat II), [are committed to a political, economic, environmental, ethical and spiritual vision of human settlements based on the principles of equality, solidarity, partnership, human dignity, respect and cooperation. We] adopt the goals and principles of adequate shelter for all and sustainable human settlements development in an urbanizing world. [We believe that attaining these goals will promote a world that is more stable and free from injustice and conflict and will contribute to a just, comprehensive and lasting peace and to equitable global economic and social development and environmental protection.] [Civil, ethnic and religious strife, nuclear armament, armed conflict, alien and colonial domination, foreign occupation, international economic imbalance, coercive economic measures, poverty, organized crime and terrorism in all its forms are destructive to sustainable human settlements development and should therefore be renounced by all States.] [We believe that attaining these goals will promote a world that is more stable and free from injustice and conflict. Civil, ethnic and religious strife, violations of human rights, armed conflict, terrorism and foreign aggression or occupation are destructive to human settlements and should therefore be renounced by all States. At the national level we will reinforce peace by promoting tolerance, non-violence and respect for diversity and by settling disputes by peaceful means. At the local level, the prevention of crime and the promotion of sustainable communities are essential to the attainment of safe and secure societies. Crime prevention through social development is one crucial key to these goals. At the international level, we will promote international peace and security and make and support all efforts to settle international disputes by peaceful means, in accordance with the Charter of the United Nations.] We reaffirm and are guided by the purposes and principles of the Charter of the United Nations and we reaffirm our commitment to ensuring the realization of the human rights set out in international instruments [including the right to adequate housing as provided for] in the Universal Declaration of Human Rights, the International Covenant on Economic, Social and Cultural Rights, the International Convention on the Elimination of All Forms of Racial Discrimination, the Convention on the Elimination of All Forms of Discrimination against Women and the Convention on the Rights of the Child [, taking into account that the right to adequate housing shall be realized progressively]. We reaffirm that all human rights - civil, cultural, economic, political and social - are universal, indivisible, interdependent and interrelated. We subscribe to the following principles and goals to guide us in our actions.

I

14. Equitable human settlements are those in which all people, without discrimination of any kind as to race, colour, sex, language, religion,

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1/ Unless otherwise indicated, the text was approved by the Preparatory Committee for the consideration of the Conference. Alternative texts proposed are contained in document A/CONF.165/L.1/Add.1.

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political or other opinion, national or social origin, property, birth or other status have equal access to housing, infrastructure, health services, adequate food and water, education and open spaces. In addition, such human settlements provide equal opportunity for a productive and freely chosen livelihood; equal access to economic resources[, including the right to inheritance], 2/ the ownership of land and other property, credit, natural resources and appropriate technologies; equal opportunity for personal, spiritual, religious, cultural and social development; equal opportunity for participation in public decision-making; equal rights and obligations with regard to the conservation and use of natural and cultural resources; and equal access to mechanisms to ensure that rights are not violated. The empowerment of women and their full participation on the basis of equality in all spheres of society, whether rural or urban, are fundamental to sustainable human settlements development.

II

15. Eradication of poverty is essential for sustainable human settlements. The principle of poverty eradication is based on the framework adopted by the World Summit for Social Development and on the relevant outcomes of other major United Nations conferences, including the objective of meeting the basic needs of all people, especially those living in poverty and disadvantaged and vulnerable groups, particularly in the developing countries where poverty is acute, as well as the objective of enabling all women and men to attain secure and sustainable livelihoods through freely chosen and productive employment and work.

III

16. [Sustainable development is essential to human settlements development, while giving full consideration to the needs and necessities of achieving economic growth in all countries, particularly in developing countries. Special consideration needs to be given to the specific situation of countries with economies in transition.] Human settlements shall be planned, developed and improved in a manner that takes full account of sustainable development principles and all their components, as set out in Agenda 21 and related outcomes of the United Nations Conference on Environment and Development. Sustainable human settlements development ensures economic development, employment opportunities and social progress, in harmony with the environment. It incorporates, together with the principles of the Rio Declaration, which are equally important, and other outcomes of the United Nations Conference on Environment and Development, the principles of the precautionary approach, pollution prevention, respect for the carrying capacity of ecosystems, and preservation of opportunities for future generations. Production, consumption

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2/ The brackets around the phrase "including the right to inheritance" were inserted during the discussion of this paragraph in the Plenary on 16 February. After uncertainties arose regarding its compatibility with the language used in the Platform for Action of the Fourth World Conference on Women (Beijing, 4-15 September 1995) the secretariat was requested to check the exact wording. The wording in paragraph 61 (b) of the Platform for Action is: "equal access to economic resources, including the right to inheritance" (see A/CONF.177/20).

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and transport should be managed in ways that protect and conserve the stock of resources while drawing upon them. Science and technology have a crucial role in shaping sustainable human settlements and sustaining the ecosystems they depend upon. Sustainability of human settlements entails their balanced geographical distribution or other appropriate distribution in keeping with national conditions, promotion of economic and social development, human health and education, and the maintenance of biodiversity and cultural diversity as well as air, water, vegetation and soil qualities at standards sufficient to sustain human life and well-being for all time.

IV

17. The quality of life of all people depends, among other economic, social, environmental and cultural factors on the physical conditions and spatial characteristics of our villages, towns and cities. City lay-out and aesthetics, land-use patterns, population and building densities, transportation and ease of access for all to basic goods, services and public amenities have a crucial bearing on the livability of settlements. This is particularly important to vulnerable and disadvantaged persons, many of whom face barriers in access to shelter and in participating in shaping the future of their settlements. People's need for community and their aspirations for more livable neighbourhoods and settlements should guide the process of design, management and maintenance of human settlements. Objectives of this endeavour include protecting public health, providing for safety and security, education and social integration, promoting equality and respect for diversity and cultural identities, increased accessibility for persons with disabilities, and preservation of historic, spiritual, religious and culturally significant buildings and districts, respecting local landscapes and treating the local environment with respect and care. [The preservation of historical monuments and buildings, particularly in the case of those declared by UNESCO as part of the cultural patrimony of humanity, should be assisted through international cooperation.] 3/ It is also of crucial importance that spatial diversification and mixed use of housing and services be promoted at the local level in order to meet the diversity of needs and expectations.

V

18. The family is the basic unit of society and as such should be strengthened. It is entitled to receive comprehensive protection and support. In different cultural, political and social systems[, various forms of the family exist]. The rights, capabilities and responsibilities of family members must be respected. Human settlements planning should take into account the constructive role of the family in the design, development and management of such settlements. All necessary conditions for its integration, [reunification,] preservation, improvement, and protection within adequate shelter and with access to basic services and a sustainable livelihood, should be facilitated.

3/ This sentence was adopted by Working Group II at the request of the delegation of Guatemala but, by an oversight, was not included in document A/CONF.165/PC.3/L.3/Add.1.

VI

19. All people have basic rights and must also accept their responsibility to respect and protect the rights of others - including future generations - and to contribute actively to the common good. Sustainable human settlements are those that, inter alia, generate a sense of citizenship and identity, cooperation and dialogue for the common good, and a spirit of voluntarism and civic engagement, where all people are encouraged and have an equal opportunity to participate in decision-making and development. Governments at all appropriate levels, including local authorities, have a responsibility to ensure access to education and to protect their population's health, safety and general welfare. This requires, as appropriate, establishing policies, laws and regulations for both public and private activities, encouraging responsible private activities in all fields, facilitating community groups' participation, adopting transparent procedures, encouraging public-spirited leadership and public-private partnerships, and helping people to understand and exercise their rights and responsibilities through open and effective participatory processes, universal education and information dissemination.

VII

20. Partnerships among countries and among all actors within countries from public, private, voluntary, and community-based organizations, the cooperative sector, non-governmental organizations, and individuals are essential to the achievement of sustainable human settlements development and the provision of adequate shelter for all and basic services. Partnerships can integrate and mutually support objectives of broad-based participation through, inter alia, forming alliances, pooling resources, sharing knowledge, contributing skills and capitalizing on comparative advantages of collective actions. The processes can be made more effective by strengthening civil organizations at all levels. Every effort must be made to encourage the collaboration and partnership of all sectors of society and among all actors in decision-making processes, as appropriate.

VIII

21. Solidarity with those who are less fortunate, disadvantaged and vulnerable groups, including people living in poverty, as well as tolerance, non-discrimination and cooperation among all people, families and communities are foundations for social cohesion. Solidarity, cooperation and assistance should be enhanced by the international community as well as by States and all other relevant actors in response to the challenges of human settlements development. The international community and Governments at all appropriate levels are called upon to promote sound and effective policies and instruments, thereby strengthening cooperation among Governments and non-governmental organizations, as well as to mobilize complementary resources to meet these challenges.

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IX

22. [To safeguard the global interest of present and future generations in human settlements is one of the fundamental goals of the international community. The implementation of the Global Plan of Action will require an increased flow of new and additional financial resources to developing countries in order to cover the incremental costs of the actions they have to undertake to deal with human settlements problems and to accelerate sustainable development.] 4/

4/ Paragraph 22 was not negotiated or adopted by Working Group II or the Plenary at the third session of the Preparatory Committee.

Chapter III

COMMITMENTS
(Paragraphs 23-35)

Notes on the commitments

All the paragraphs in chapter III, except for the last two sentences of paragraph 24, remain in brackets. However, various paragraphs reached different levels of negotiation, as outlined below.

Chapter III, as amended during informal negotiations, was prepared for submission as informal paper No. 1 (subsequently issued as document A/CONF.165/PC.3/L.3/Add.2) at the third session of the Preparatory Committee. Of paragraphs 23 to 35, paragraphs 23 and 25 (including a new unnumbered first paragraph) were informally negotiated but not formally adopted by either Working Group II or the Plenary. The brackets as they appear in the informal paper and thus in document A/CONF.165/PC.3/L.3/Add.2 have been retained in the present document. In addition, the Plenary has placed brackets around the entire chapter, specifically around paragraph 29 bis.

Paragraph 24 was informally negotiated by the informal drafting group on issues related to housing rights established by Working Group II during the third session of the Preparatory Committee and is contained, as informally negotiated, in its report (informal paper No. 4) as submitted to Working Group II and to the Plenary on 16 February. The Plenary agreed to submit the paragraph to the Conference, with the first two sentences in brackets for further negotiation.

Paragraphs 26 to 35 were neither negotiated nor formally adopted by either Working Group II or the Plenary at the third session of the Preparatory Committee. They are presented here as they appear in document A/CONF.165/PC.3/L.3/Add.2. As per the guidelines read out by the Chairman of the Preparatory Committee at the 6th plenary meeting, on 16 February, the proposals by delegations and United Nations entities for alternative texts or amendments, presented in informal subgroups during the third session of the Preparatory Committee but not informally negotiated, are forwarded to the Conference to facilitate negotiations on these paragraphs. They are contained in document A/CONF.165/L.1/Add.1, as is and additional paragraph 29 bis (commitment on gender equality), which was introduced by the delegation of Canada in Working Group II on 16 February without having been subject to prior informal negotiations. It was approved by Working Group II and submitted to the Plenary at its 6th meeting, on 16 February. The Plenary decided not to adopt paragraph 29 bis after a number of delegations queried the compatibility of the language with that adopted at the Fourth World Conference on Women. The Plenary therefore decided that paragraph 29 bis should be submitted to the Conference in brackets for further negotiation, along with an explanatory note giving, for the benefit of the Conference, the text of the statement by the President of the Fourth World Conference on Women on the commonly understood meaning of the term "gender", contained in the report of the Fourth World Conference on Women (A/CONF.177/20, annex IV). The explanatory text follows paragraph 29 bis in document A/CONF.165/L.1/Add.1.

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Chapter III

COMMITMENTS 5/

[The Global Plan of Action is drawn up in full conformity with the purposes and principles of the Charter of the United Nations. The implementation of the recommendations contained in the Plan of Action is the sovereign right of each State consistent with national laws and development priorities, as well as with full respect for the various religious and ethical values, cultural backgrounds, and philosophical convictions of its people, and in conformity with universally recognized international human rights.]

23. [Embracing the foregoing principles we, as States participating in this Conference, commit ourselves to implementing the Habitat Agenda, including through subnational, national, subregional, and regional plans of action and other policies and programmes drafted and executed in cooperation with all key actors at all levels and supported by the international community, taking into account that human beings are at the centre of concerns for sustainable development, including adequate shelter for all and sustainable human settlements development, and that they are entitled to a healthy and productive life in harmony with nature.]

[23 *bis*. In implementing these commitments we shall give special attention to the circumstances and needs of people who are homeless, are living in poverty or are in some other way disadvantaged or vulnerable, especially women, children, older people, indigenous people, displaced people or people with disabilities.]

A. Adequate shelter for all

24. [We reaffirm our commitment to the progressive realization of the right to adequate housing, as set out in numerous international instruments. In this context, we recognize the fundamental obligation of Governments to enable people to obtain shelter and to protect and improve dwellings and neighbourhoods.] We commit ourselves to the goal of improving living and working conditions on an equitable and sustainable basis, so that everyone will have adequate shelter that is healthy, safe, secure, accessible and affordable and that includes basic services, facilities and amenities and the enjoyment of freedom from discrimination in housing and legal security of tenure. We shall implement and promote this objective in a manner fully consistent with human rights standards.

25. We further commit ourselves to the objectives of:

[(a) Ensuring consistency and coordination of macroeconomic policies and shelter policies and strategies in order to support resource mobilization, employment generation and poverty eradication;]

5/ Unless otherwise indicated, the present text of chapter III reproduces that of document A/CONF.165/PC.3/L.3/Add.2. Proposals for alternative or additional text are contained in document A/CONF.165/L.1/Add.1.

(a *bis*) Ensuring that women and men have equal access to resources, including credit opportunities, and the right to inheritance and ownership of land and property;

(b) Ensuring legal security of tenure and equal access to serviced land, including through a diverse range of tenure options;

(c) Promoting broad, non-discriminatory access to open, efficient, effective and appropriate mechanisms for housing finance, including credit opportunities for all;

(d) Promoting construction methods, materials and technologies that are affordable, safe, efficient and accessible and that emphasize greater use of local materials and human resources, that encourage and support design efficiency and energy-saving methods and that are environmentally sound and protective of human health;

(e) Increasing the supply of affordable housing and tenure options, including rental and cooperative and home ownership, through public, community and private sector initiatives;

(f) Promoting the rehabilitation, upgrading and maintenance of existing housing stock;

(f *bis*) Providing basic services and promoting the supply of facilities and amenities;

(f *ter*) Recognizing and respecting clear and enforceable rights and obligations of both owners and tenants;

(g) Eradicating discrimination in access to shelter that is based on race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status;

[(h) Promoting shelter and basic services for the homeless, the internally displaced, migrants, indigenous groups and victims of natural and human-made disasters;]

[(i) Promoting access to local basic facilities for education and health services;]

[(j) Formulating or strengthening measures to provide [legal] migrants, migrant workers and their families access to adequate housing and social services;]

[(k) Protecting, within the national context, the traditional rights to land and other resources of pastoralists, fishery workers, and nomadic and indigenous people, and strengthening land management;]

[(l) Avoiding forced evictions, when possible; when unavoidable, striving for rehabilitation.]

B. Sustainable human settlements [6]

26. We commit ourselves to the goal of sustainable human settlements in an urbanizing world by developing economies that will make efficient use of resources within the carrying capacity of ecosystems and by providing all people with equal opportunities for a healthy, safe and productive life in harmony with nature and their cultural heritage and spiritual and cultural values, thereby ensuring social progress.

27. We further commit ourselves to the objectives of:

(a) Promoting socially integrated human settlements, combating segregation and discriminatory and other exclusionary policies and practices, and recognizing and respecting the rights of all, especially women and the poor;

(b) Acknowledging and harnessing the potential of the informal sector, where appropriate, in providing housing and services for the poor;

(c) Promoting changes in production and consumption patterns and settlements structures that will protect natural resources, including water, air, biodiversity, energy and land, thereby providing a healthy living environment for all;

(d) Promoting spatial development patterns that reduce transport demand, and creating efficient, effective and environmentally sound transport systems that improve access to work, goods, services and amenities;

(e) Preserving productive land in urban and rural areas and protecting fragile ecosystems from the negative impacts of human settlements;

(f) Protecting and maintaining the historic and cultural heritage, including traditional shelter and settlement patterns, as appropriate, as well as landscapes and urban flora and fauna in open and green spaces;

(g) Enabling competitive and sustainable economic development that will attract investments, generate employment and provide revenues for human settlements development;

(h) Alleviating the undesired impacts of structural adjustment and economic transition on human settlements;

(i) Reducing the impact on human settlements of natural and human-made disasters.

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[6] Paragraphs 26 to 35 were not negotiated or adopted by Working Group II or the Plenary at the third session of the Preparatory Committee.

C. Enablement 6/

28. We commit ourselves to the strategy of enabling all key actors in the public, private and community sectors to play an effective role - at the national, state/provincial, metropolitan and local levels - in human settlements and shelter development.

29. We further commit ourselves to the objectives of:

(a) Exercising public authority and using public resources with transparency and accountability;

(b) Decentralizing authority and resources, as appropriate, and functions and responsibilities to the level most effective in addressing the needs of people in their settlements;

(c) Promoting institutional and legal frameworks and capacity-building conducive to civic engagement and broad-based participation in human settlements development;

(d) Capacity-building for human settlements management and development;

(e) Supporting enabling frameworks - both institutional and legal - for mobilizing financial resources for sustainable shelter and human settlements development;

(f) Promoting equal access to reliable information, utilizing, where appropriate, modern communications technology and networks.

D. Financing shelter and human settlements 6/

30. We commit ourselves to strengthening existing financial mechanisms and, where appropriate, developing new mechanisms for financing the implementation of the Habitat Agenda, which will mobilize increased sources of finance - public, private, multilateral and bilateral - at the international, regional, national and local levels, and which will promote the efficient, effective and accountable allocation and management of resources.

31. We further commit ourselves to the objectives of:

(a) Stimulating national and local economies, through enabling competitive and sustainable economic development that will attract public and international financial resources and private investments, generate employment and increase revenues, providing a stronger financial base to support shelter and human settlements development;

(b) Strengthening fiscal and financial management capacity, at all levels, to fully develop the taxation base, pricing mechanisms and other sources of revenue;

(c) Enhancing public revenue through the use, as appropriate, of fiscal instruments that are conducive to environmentally friendly practices in order to promote direct support for sustainable human settlements;

(d) Strengthening regulatory and legal frameworks to enable markets to work and to facilitate independent initiative and creativity, as well as to encourage a wide range of partnerships to finance shelter and human settlements development;

(e) Promoting increased equitable access to credit for all;

(f) Adopting, where appropriate, transparent, timely, predictable and performance-based mechanisms for the transfer of funds between different levels of government;

(g) Targeting, where appropriate, subsidies to those who are not served by the market, and promoting appropriate credit mechanisms and other instruments to address their needs.

E. International cooperation 6/

[32. We commit ourselves - in the interests of international peace, security, justice and stability - to enhancing international cooperation and partnerships that will assist in the implementation of the national and the global plans of action and the attainment of the goals of the Habitat Agenda by contributing to and participating in multilateral, regional and bilateral cooperation programmes and institutional arrangements and technical and financial assistance programmes, by exchanging appropriate technology, by collecting analysing and disseminating information about shelter and human settlements, and by international networking.

[33. We further commit ourselves to the objectives of:

[(a) Striving for the fulfilment of the accepted target for official development assistance of 0.7 per cent of the gross national product of the developed countries as soon as possible, as well as increasing, within it, the share for funding human settlements and shelter development;

[(b) Using resources and economic instruments in an effective, efficient and equitable manner at the local, national, regional and international levels;

[(c) Promoting responsive international cooperation between public, private, non-profit, non-governmental and community organizations.]

F. Assessing progress 6/

34. We commit ourselves to monitoring and evaluating, within our own countries, efforts to implement national plans of action, while striving to ensure efficiency and effectiveness in meeting the goals of adequate shelter for all and sustainable human settlements development.

35. We further commit ourselves to the objective of enhancing the role and strengthening the institutional capacity of the United Nations Centre for Human Settlements (Habitat) as an agency of coordination and cooperation to assist the States Members of the United Nations in monitoring and evaluating the implementation of the Habitat Agenda, using shelter and urban indicators and best practices as a basis for assessing global conditions and trends in shelter and human settlements development.

Chapter IV

GLOBAL PLAN OF ACTION: STRATEGIES FOR IMPLEMENTATION

A. Introduction
(Paragraphs 36-42)

Notes on chapter IV, section A

Paragraphs 36 to 42 were submitted by Working Group II (document A/CONF.165/PC.3/L.3 plus corrections) to the 5th meeting of the Plenary at the third session of the Preparatory Committee on 16 February 1996. They were adopted by the Plenary as amended and forwarded to the Conference for its consideration.

All the paragraphs were subject to negotiation, with the exception of paragraph 38. Both Working Group II and the Plenary decided to retain the text of paragraph 38 in brackets, as it appears in document A/CONF.165/PC.3/4. Proposals submitted by delegations and United Nations entities during the third session of the Preparatory Committee for alternative wording to paragraph 38 are contained in document A/CONF.165/CRP.1.

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Chapter IV

GLOBAL PLAN OF ACTION: STRATEGIES FOR IMPLEMENTATION

A. Introduction

36. Twenty years ago in Vancouver, at the first United Nations Conference on Human Settlements (Habitat), the world community adopted an agenda for human settlements development. Since then, there have been remarkable changes in population and social, political, environmental and economic circumstances that affect the strategic outlook. These changes have led many Governments to adopt and promote enabling policies to facilitate actions by individuals, families, communities and the private sector to improve human settlements conditions. However, it is estimated that at least 1 billion human beings still lack adequate shelter and are living in unacceptable conditions of poverty, mostly in developing countries.

37. While the rate of population growth is on the decline, during the past 20 years world population has increased from about 4.2 billion to about 5.7 billion, with nearly one third under 15 years of age, and an increasing number of people living in cities. By the turn of the century, humankind will be crossing a threshold where over 50 per cent of the population live in urban areas. Meeting the needs of the nearly 2 billion more people expected in the coming two decades and managing human settlements towards sustainability will be a daunting task. In developing countries, in particular, rapid urbanization and the growth of towns, cities and megacities, where public and private resources tend to concentrate, represent new challenges and at the same time new opportunities: there is a need to address the root causes of these phenomena, including rural to urban migration.

38. [In the economic sphere, the increasing globalization of the economy means that people in communities are trading in broader markets, and investment funds are more often available from international sources. As a result, the level of economic development has increased in many countries. At the same time, the gap between poor and rich - countries as well as people - has widened. New communications technology makes information much more widely accessible and accelerates all processes of change. In many societies, new issues of social cohesion and personal security have emerged and the issue of solidarity has become central. Unemployment, environmental degradation, social disintegration and the increasing movements of people, as well as intolerance and violence, have also emerged as critical factors. We must keep these new conditions in view as we draw up human settlements strategies for the first two decades of the twenty-first century.]

39. While Habitat II is a conference of States and there is much that national Governments can do to enable local communities to solve problems, the actors who will determine success or failure in improving the human settlements condition are mostly found at the community level in the public, private and non-profit sectors. It is they, local authorities and other [stakeholders], who are on the front line in achieving the goals of Habitat II. Although the structural causes of problems have often to be dealt with at the national and sometimes the international level, progress will depend to a large degree on local

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authorities, civic engagement and the forging of partnerships at all levels of government with the private sector, the cooperative sector, non-governmental and community-based organizations, workers and employers and civil society at large.

40. Habitat II is one in an extraordinary series of world conferences held under the auspices of the United Nations over the past five years. All addressed important issues of people-centred sustainable development, including sustained economic growth and equity, for which successful implementation requires action at all levels, particularly the local level. Strategies on social, economic, environmental, disaster reduction, population, disability and gender issues will have to be implemented in urban and rural areas - in particular, where the problems are acute and generate tension.

41. At Habitat II, Governments at all levels, the community and the private sector have considered how the achievement of the two principal goals of "Adequate shelter for all" and "Sustainable human settlements development in an urbanizing world" can be furthered at the local level through an enabling process in which individuals, families and their communities play a central role. This is what is special about the Global Plan of Action of Habitat II and its strategies for implementation. Implementation of these measures will need to be adapted to the specific situation of each country and community.

42. The strategy of the Global Plan of Action is based on enablement, transparency and participation. Under this strategy, government efforts are based on establishing legislative, institutional and financial frameworks that will enable the private sector, non-governmental organizations and community groups to fully contribute to [sustainable development, including sustained growth] and enable all women and men to work with each other and in their communities with Governments at all levels, to determine their future collectively, decide on priorities for action, identify and allocate resources fairly and build partnerships to achieve common goals. Enablement creates:

(a) A situation in which the full potential and resources of all actors in the process of producing and improving shelter are mobilized;

(b) The conditions for women and men to exercise their individual rights and responsibilities equally and to engage their abilities effectively in activities that will improve and sustain their living environments;

(c) The conditions for organizations and institutions to interact and network, building partnerships for [sustained economic growth and sustainable development;]

(d) The conditions for self-improvement by all;

(e) The conditions for enhancing international cooperation.

B. Adequate shelter for all
(Paragraphs 43-75)

Notes on chapter IV, section B

Paragraphs 43 through 75 (except for paras. 44, 48, 48 bis, 48 ter, 51 (b), 51 (b bis) and 55) were submitted by Working Group II (document A/CONF.165/PC.3/L.3/Add.4 plus corrections and document A/CONF.165/PC.3/L.3/Add.5 plus corrections) to the 5th meeting of the Plenary at the third session of the Preparatory Committee on 16 February. They were adopted by the Plenary as amended and forwarded to the Conference for its consideration.

Paragraph 44 was adopted by the Plenary as amended and forwarded to the Conference for its consideration following a presentation to the Plenary, at its 6th meeting, on 16 February, of the report of the informal drafting group on issues related to housing rights (informal paper 4). This informal drafting group was established by Working Group II at the third session of the Preparatory Committee. The delegation of the United States of America requested that its alternative text for paragraphs 44 and 44 bis be forwarded to the Conference for consideration; it appears in document A/CONF.165/CRP.1.

Paragraphs 48, 48 bis, 48 ter, 51 (b), 51 (b bis) and 55 were informally negotiated but not adopted by either Working Group II or the Plenary at the third session of the Preparatory Committee.

During the discussions on paragraphs 43 to 65 at the 5th meeting of the Plenary, on 16 February, one delegation queried the brackets in the phrase "the [equal] right to inheritance" in paragraph 58 (f) and requested their removal as the brackets were not compatible with the language of the Platform for Action of the Fourth World Conference on Women. For the benefit of delegations, the text of paragraph 61 (b) of the Platform for Action reads: "Undertake legislative and administrative reforms to give women full and equal access to economic resources, including the right to inheritance and to ownership of land and other property, credit, natural resources and appropriate technologies" (see A/CONF.177/20).

B. Adequate shelter for all 7/

1. Introduction

43. Adequate shelter means more than a roof over one's head. It also means adequate privacy; adequate space; physical accessibility; adequate security, including security of tenure; structural stability and durability; adequate lighting, heating and ventilation; adequate basic infrastructure, such as water-supply, sanitation and waste-management facilities; suitable environmental quality and health-related factors; and adequate and accessible location with regard to work and basic facilities: all of which should be available at an affordable cost. Adequacy should be determined together with the people concerned, bearing in mind the prospect for gradual development. Adequacy often varies from country to country, since it depends on specific cultural, social, environmental and economic factors. Gender-specific and age-specific factors, such as the exposure of children and women to toxic substances, should be considered in this context.

44. [Since the adoption of the Universal Declaration of Human Rights in 1948, the right to adequate housing has been recognized as an important component of the right to an adequate standard of living. All countries without exception have some form of obligation in the shelter sector, as exemplified by their creation of ministries of housing or agencies, by their allocation of funds for the housing sector and by their policies, programmes and projects.]

44 bis. [The provision of adequate housing for everyone requires action not only by Governments, but by all sectors of society, including the private sector, non-governmental organizations and local authorities, as well as by international organizations (community)] Within the overall context of an enabling approach, Governments should take appropriate action [in order to promote, protect (and ensure) the progressive realization of the right to adequate housing]. These include, but are not limited to: 8/

(a) Providing adequate legal protection from, and effective remedies against, discrimination of any kind in housing as to race, colour, sex, language, religion, political or other opinion, national or social origin, [property, birth or other status];

(b) Providing legal security of tenure and equal access to land among all, including women and those living in poverty, as well as effective protection [from illegal forced evictions];

(c) Adopting policies aimed at making housing habitable, affordable and accessible, including for those who are unable to secure adequate housing through their own means, by inter alia:

7/ Unless otherwise indicated, the text was approved by the Preparatory Committee for the consideration of the Conference.

8/ The alternative text proposed by the United States of America for paragraphs 44 and 44 bis appears in document A/CONF.165/CRP.1.

(i) Expanding the supply of affordable housing through appropriate regulatory measures and market incentives;

(ii) Increasing affordability through provision of subsidies and rental and other forms of housing assistance to people living in poverty;

(iii) Supporting community-based, cooperative and non-profit rental and owner-occupied housing programmes;

(iv) Promoting supporting services to the homeless and other vulnerable groups;

(v) Mobilizing innovative [domestic] financial and other resources - public and private - for housing and community development;

(vi) Creating and promoting market-based incentives to encourage the private sector to meet the need for affordable rental and owner-occupied housing;

(vii) Promoting sustainable spatial development patterns and transportation systems that improve accessibility of goods, services, amenities and work;

(d) Effective monitoring and evaluation of housing conditions, including the extent of homelessness and inadequate housing, and in consultation with the affected population, formulating and adopting appropriate housing policies and implementing effective strategies and plans to address those problems.

45. Because it leads to the full mobilization of all potential indigenous resources, a shelter strategy that is based on an enabling approach greatly contributes to the sustainable development of human settlements. The management of such resources must be people-centred and must be environmentally, socially and economically sound. This can occur only if policies and actions in the shelter sector are integrated with policies and actions that are intended to promote [sustainable economic growth and sustainable development] throughout a country. A fundamental objective of this chapter, therefore, is to integrate shelter policies with policies that will guide macroeconomic and social development and sound environmental management.

46. A second fundamental objective of this chapter is to enable markets - the primary housing delivery mechanism - to perform their function with efficiency. Actions to achieve this objective and at the same time contribute to social goals, including, where appropriate, market-based incentives and compensatory measures, are recommended. Further objectives and recommended actions address the components of shelter-delivery systems (land, finance, infrastructure and services, construction, building materials, maintenance and rehabilitation) in the private, community and public rental sectors, and ways of making them better serve all people. Finally, special attention is given to all those, including women, who are at considerable risk because they lack security of tenure or are inhibited from participation in shelter markets. Actions are recommended to reduce their vulnerability and enable them to obtain adequate shelter in a just and humane way.

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47. International and national cooperation at all levels will be both necessary and beneficial in promoting adequate shelter for all. This is especially needed in areas that are affected by war or by natural, industrial or technological disasters, and in situations in which reconstruction and rehabilitation needs surpass national resources.

2. Shelter policies 9/

48. The formulation and periodic evaluation and revision, as necessary, of enabling shelter policies, with a view to creating a framework for efficient and effective shelter delivery systems, are the cornerstone for the provision of adequate shelter for all. A fundamental principle in formulating a realistic shelter policy is its interdependence with overall macroeconomic, environmental and social development policies. Shelter policies, while focusing on the increasing demand for housing and infrastructure, should also emphasize the increased use and maintenance of existing stock through ownership, rental and other tenure options, responding to the diversity of needs. These policies should also encourage and support the people, who in many countries, particularly developing countries, individually or collectively act as important producers of housing. Policies should respond to the diverse needs of disadvantaged and vulnerable groups as set forth in subsection 4 below (paras. 72 to 75).

Actions

48 bis. Governments should strive to decentralize shelter policies and their administration to subnational and local levels within the national framework, whenever possible and as appropriate.

48 ter. [To ensure continuing progress towards realizing an adequate standard of living for all, national and local governments, as appropriate, should adopt:

(a) Provisions to ensure:

(i) Freedom from discrimination based on race, ethnicity, gender, family composition, and disability status in housing and credit markets, and specifically, recognition that the right to an adequate standard of living pertains to every person, including those in female-headed households;

(ii) Legal security of tenure and equal access to land for all, including women and people living in poverty;

9/ Paragraphs 48, 48 bis and 48 ter were informally negotiated in informal subgroup B of Working Group II, which also agreed to bracket the text of 48 ter. Paragraphs 48, 48 bis and 48 ter were not, however, formally adopted by either Working Group II or the Plenary. Paragraphs 49, 50, 51 (except 51 (b) and (b bis)) and 52 were formally adopted by the Plenary at the third session of the Preparatory Committee. Paragraphs 51 (b) and (b bis) were informally negotiated but not formally adopted by either Working Group II or the Plenary.

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(b) Policies aimed at making housing habitable, affordable and accessible, including:

(i) Creation of market-based incentives to encourage the private sector to meet the need for affordable rental housing and home ownership;

(ii) Promoting spatial development patterns and transportation systems that improve the accessibility of goods, services and amenities;

(iii) Mobilizing innovative sources of domestic finance - public and private - for housing and community development;

(iv) Expanding the supply of affordable housing through appropriate regulatory and market incentives;

(v) Promoting sustainable economic development through community partnerships;

(vi) Increasing affordability through the provision of rental assistance to people living in poverty;

(vii) Supporting community-based programmes that provide shelter and supportive services to the homeless;

(viii) Protecting and maintaining historical and cultural heritage.]

49. To integrate [national] shelter policies with macroeconomic, social, demographic and environmental policies, Governments, as appropriate, should:

(a) Establish and implement consultative mechanisms among the governmental authorities that are responsible for economic, environmental, social, human settlements and shelter policies, and the organization of civil society and the private sector so as to coordinate the shelter sector in a coherent manner, which should include identifying the market and precise criteria for allocations, subsidies and other forms of assistance;

(b) Constantly monitor the impact of macroeconomic policies on shelter delivery systems, considering their specific linkages and taking into account their possible effects on vulnerable and disadvantaged groups;

(c) Strengthen the linkages between shelter policies, employment generation, environmental protection, resource mobilization and the maximization of resource efficiency, and strengthen the stimulation of and support for sustainable economic development and social development activities;

(d) Apply public policies, including expenditure, taxation, monetary and planning policies, to stimulate sustainable shelter markets and land development;

(e) Integrate land and shelter policies with policies for reducing poverty and creating jobs, for environmental protection, for education and health, for providing clean water-supply and sanitation facilities, and for empowering members of disadvantaged and vulnerable groups, particularly people without shelter;

(f) Strengthen shelter-related information systems, and make use of relevant research activities in policy development, including gender-disaggregated data;

(g) Periodically evaluate and, as appropriate, revise shelter policies, taking into consideration the needs of people without shelter and the impact of such policies on the environment, economic development and social welfare.

50. To formulate and implement policies that promote the enablement approach to the development, maintenance and rehabilitation of shelter in both rural and urban areas, Governments at all levels, as appropriate, should:

(a) Employ broad-based participatory and consultative mechanisms that involve representatives from public, private, non-governmental, cooperative and community sectors, including representatives of groups that are considered to be living in poverty, at all levels in the policy development process;

(b) Establish appropriate processes for coordination and decentralization that define clear local-level rights and responsibilities within the policy development process;

(c) Develop and support adequate institutional frameworks, especially for facilitating investment in the supply of both rural and urban shelter by the private sector;

(d) Establish priorities for the allocation of natural, human, technical and financial resources;

(e) Establish and adopt a regulatory framework, and provide institutional support for facilitating participation and partnership arrangements at all levels;

(f) Review and adjust, when necessary, the legal, fiscal and regulatory framework to respond to the special needs of people living in poverty and low-income people;

(g) Promote the supply of affordable rental houses and the legal rights and obligations of both tenants and owners.

51. To adopt and implement a cross-sectoral approach to policy development, Governments at appropriate levels, including local authorities, should:

(a) Coordinate and integrate shelter and human settlement policies with other related policies, such as population and human resource development policies, environment, land and infrastructure policies, and urban and rural planning, as well as private and/or public employment initiatives;

(b) [Take full account of the need for sustained economic growth, of sustainable development principles and of the basic needs for human development and health]; 10/

(b bis) Adopt policies ensuring that persons with a disability have access to new public buildings and facilities, public housing and public transport systems. Furthermore, during renovation of existing buildings, similar measures should be adopted whenever feasible;

(c) Encourage the development of environmentally sound and affordable construction methods and production and distribution of building materials, including strengthening the indigenous building materials industry, based as far as possible on locally available resources;

(d) Promote the free exchange of information on the entire range of the environmental health aspects of construction, including the development and dissemination of databases on the adverse environmental effects of building materials, through the collaborative efforts of the private and public sectors.

52. To improve shelter delivery systems, Governments at the appropriate levels should:

(a) Adopt an enabling approach to shelter development, including the renovation, rehabilitation, upgrading and strengthening of the existing housing stock in both rural and urban areas;

(b) Establish priorities for the allocation of natural, human, technical and financial resources;

(c) Develop adequate institutional frameworks for the public, community and private sectors, especially for facilitating investments in the supply of both rural and urban shelter by the private and non-profit sectors;

(d) When necessary, review and adjust the legal, fiscal and regulatory framework to respond to the special needs of vulnerable and disadvantaged groups, people living in poverty and low-income people;

(e) Periodically evaluate and, as necessary, revise policies and systems for financing shelter, taking into consideration the impact of such policies and systems on the environment, economic development and social welfare, especially their different effects on vulnerable and disadvantaged groups;

(f) Promote and adopt, where appropriate, policies that coordinate and encourage the adequate supply of the key inputs required for the construction of housing and infrastructure, such as land, finance and building materials;

(g) Encourage the development of environmentally sound and affordable construction methods and production and distribution of building materials,

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10/ Paragraph 51 (b) was informally negotiated and placed in brackets by informal subgroup B of Working Group II.

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including strengthening the local building materials industry, based as far as possible on locally available resources;

(h) Promote, where appropriate, the use of labour-intensive construction and maintenance technologies that generate employment in the construction sector for the underemployed labour force found in most large cities, at the same time promoting the development of skills in the construction sector.

3. Shelter delivery systems

(a) Enabling markets to work

53. In many countries, markets serve as the primary housing delivery mechanism, and hence their effectiveness and efficiency are important to the goal of sustainable development. It is the responsibility of Governments to create an enabling framework for a well-functioning housing market. The housing sector should be viewed as an integrating market in which trends in one segment affect performance in other segments. Government interventions are required to address the needs of disadvantaged and vulnerable groups that are insufficiently served by markets.

Actions

54. To ensure market efficiency, Governments, at the appropriate levels and consistent with their legal authority, should:

(a) Assess housing supply and demand on a gender-disaggregated basis and collect, analyse and disseminate information about housing markets and other delivery mechanisms, and encourage the private and non-profit sectors and the media to do the same, while avoiding duplication of efforts;

(b) Avoid inappropriate interventions that stifle supply and distort demand for housing and services, and periodically review and adjust legal, financial and regulatory frameworks, including frameworks for contracts, land use, building codes and standards;

(c) Employ mechanisms (for example, a body of law, a cadastre, rules for property valuation and others) for the clear definition of property rights;

(d) Permit the exchange of land and housing without undue restriction, and apply procedures that will make property transactions transparent and accountable in order to prevent corrupt practices;

(e) Undertake legislative and administrative reforms in order to give women full and equal access to economic resources, including the right to inheritance and the ownership of land and other property;

(f) Apply appropriate fiscal measures, including taxation, to promote the adequate supply of housing and land;

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(g) Periodically assess how best to satisfy the requirement for government intervention to meet the specific needs of people living in poverty and vulnerable groups for whom traditional market mechanisms fail to work;

(h) Develop, as appropriate, flexible instruments for the regulation of housing markets, including the rental market, taking into account the special needs of vulnerable groups.

(b) Facilitating community-based production of housing [11]

54 bis. In many countries, particularly developing countries, more than half the existing housing stock has been built by the owner-occupiers themselves, serving mainly the lower-income population. Self-built housing will continue to play a major role in the provision of housing into the distant future. Many countries are supporting self-built housing by regularizing and upgrading programmes. To support the efforts of people, individually or collectively, to produce shelter, Governments at the appropriate levels should, where appropriate:

(a) Promote self-built housing within the context of a comprehensive land-use policy;

(b) Integrate and regularize self-built housing, especially through appropriate land registration programmes, as a holistic part of the overall housing and infrastructure system in urban and rural areas, subject to a comprehensive land-use policy;

(c) Encourage efforts to improve existing self-built housing through better access to housing resources, including land, finance and building materials;

(d) Develop the means and methods to improve the standards of self-built housing;

(e) Encourage community-based and non-governmental organizations in their role of assisting and facilitating the production of self-built housing;

(f) Facilitate regular dialogue and gender-sensitive participation of the various actors involved in housing production at all levels and stages of decision-making.

(c) Ensuring access to land

55. Access to land and legal security of tenure are strategic prerequisites for the provision of adequate shelter for all and for the development of sustainable human settlements affecting both urban and rural areas. It is also one way of breaking the vicious circle of poverty. Every Government must show a commitment to promoting the provision of an adequate supply of land in the context of

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[11] Paragraph 54 bis appeared as paragraph 59 bis in document A/CONF.165/PC.3/L.3/Add.4.

sustainable land-use policies. [While recognizing the different national regimes of land tenure,] Governments at the appropriate levels, including local authorities, should strive to remove all possible obstacles that may hamper equitable access to land and ensure that equal rights of women and men related to land and property are protected under the law. The failure to adopt, at all levels, appropriate rural and urban land policies and land management practices remains a primary cause of inequity and poverty. It is also the cause of increased living costs, the occupation of hazard-prone land, environmental degradation and the increased vulnerability of urban and rural habitats, affecting all people, especially disadvantaged and vulnerable groups, people living in poverty and low-income people. 12/

Actions

56. To ensure an adequate supply of serviceable land, Governments, at the appropriate levels and in accordance with their legal framework, should:

(a) Recognize and legitimize the diversity of land delivery mechanisms;

(b) Decentralize land management responsibilities and provide local capacity-building programmes that recognize the role of key [stakeholders], where appropriate;

(c) Prepare comprehensive inventories of publicly held land and, where appropriate, develop programmes for making them available for shelter and human settlements development, including, where appropriate, development by non-governmental and community-based organizations;

[(d) Apply transparent, comprehensive, easily accessible and progressive taxation and incentive mechanisms to stimulate the efficient, environmentally sound and equitable use of land, and exploit the full potential of land-based and other forms of taxation in mobilizing financial resources for service provision by local authorities;]

(e) Consider fiscal and other measures, as appropriate, to promote the efficient functioning of the market for vacant land, ensuring the supply of housing and land for shelter development;

(f) Develop and implement land information systems and practices for managing land, including land value assessment, and seek to ensure that such information is readily available;

(g) Make full use of existing infrastructure in urban areas, encouraging optimal density of the occupation of available serviced land in accordance with its carrying capacity, at the same time ensuring the adequate provision of parks, play areas, common spaces and facilities, and plots of land for home gardening, as appropriate;

12/ Paragraph 55 was informally negotiated but not formally approved by either Working Group II or the Plenary.

(h) Consider the adoption of innovative instruments that capture gains in land value and recover public investments;

(i) Consider the adoption of innovative instruments for the efficient and sustainable assembly and development of land, including, where appropriate, land readjustment and consolidation;

(j) Develop appropriate cadastral systems and streamline land registration procedures in order to facilitate the regularization of informal settlements, where appropriate, and simplify land transactions;

(k) Develop land codes and legal framework that define the nature of land and real property and the rights that are formally recognized;

(l) Mobilize local and regional expertise to promote research, the transfer of technology and education programmes to support land administration systems;

(m) Promote comprehensive rural development through such measures as equal access to land, land improvement, economic diversification, the development of small and medium-scale cities in rural areas and, where appropriate, indigenous land settlements;

(n) Ensure simple procedures for the transfer of land and conversion of land use within the context of a comprehensive policy framework, including the protection of arable land and the environment.

57. To promote efficient land markets and the [equitable and] environmentally sustainable use of land, Governments at the appropriate levels should:

(a) Re-evaluate and, if necessary, periodically adjust planning and building regulatory frameworks, taking into consideration their human settlements and economic, social and environmental policies;

(b) Support the development of land markets by means of effective legal frameworks, and develop flexible and varied mechanisms aimed at mobilizing lands with diverse juridical status;

[(c) Encourage the multiplicity and diversity of intervention of all [stakeholders,] men and women alike, acting within the market system;]

(d) Develop a legal framework of land use aimed at balancing the need for construction with the protection of the environment, minimizing risk and diversifying uses;

(e) Review restrictive, exclusionary and costly legal and regulatory processes, planning systems, standards and development regulations.

58. To eradicate legal and social barriers to the [equal and equitable] access to land, especially the access of women, people with disabilities and other vulnerable groups, Governments, at the appropriate levels, in partnership with

the private sector, non-governmental organizations, the cooperative sector and community-based organizations, should:

(a) Address the cultural, ethnic, religious, social and disability-based causes that result in the creation of barriers that lead to segregation and exclusion, inter alia, by encouraging education and training for peaceful conflict resolution;

(b) Promote awareness campaigns, education and enabling practices regarding, in particular, legal rights with respect to tenure, land ownership and inheritance for women, so as to overcome existing barriers;

(c) Review legal and regulatory frameworks, adjusting them to the principles and commitments of the Global Plan of Action and ensuring that the equal rights of women and men are clearly specified and enforced;

(d) Develop regularization programmes and formulate and implement such programmes and projects in consultation with the concerned population and organized groups, ensuring the full and equal participation of women and taking into account the needs differentiated by gender, age, disability and vulnerability;

(e) Support, inter alia, community projects, policies and programmes that aim to remove all barriers to women's access to affordable housing, land and property ownership, economic resources, infrastructure and social services, and ensure the full participation of women in all decision-making processes, with particular regard to women in poverty, especially female heads of households and women who are sole providers for their families;

(f) Undertake legislative and administrative reforms to give women full and equal access to economic resources, including the [equal] right to inheritance 13/ and the ownership of land and other property, credit, natural resources and appropriate technologies;

(g) Promote mechanisms for the protection of women who risk losing their homes and properties when their husbands die.

59. To facilitate access to land and security of tenure for all socio-economic groups, Governments, at the appropriate levels, including local authorities, should:

(a) Adopt an enabling legal and regulatory framework based on an enhanced knowledge, understanding and acceptance of existing practices and land delivery mechanisms so as to stimulate partnerships with the private business and

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13/ On the correct wording used by the Fourth World Conference on Women in regard to women's right to inheritance, see the note at the beginning of this chapter. See also the language used in paragraph 54 (e) of the present chapter, as well as in paragraph 14 (Goals and principles) of the present document for comparison.

community sectors, specifying recognized types of land tenure and prescribing procedures for the regularization of tenure, where needed;

(b) Provide institutional support, accountability and transparency of land management, and accurate information on land ownership, land transactions and current and planned land use;

(c) Explore innovative arrangements to enhance the security of tenure, other than full legalization, which may be too costly and time-consuming in certain situations, including access to credit, as appropriate, in the absence of a conventional title to land;

(d) Promote measures to ensure that women have equal access to credit for buying, leasing or renting land, and equal protection for the legal security of tenure of such land;

(e) Capitalize on the potential contribution of key [stakeholders] in the private formal and informal sectors, and support the engagement of non-governmental organizations, community organizations and the private sector in participatory and collective initiatives and mechanisms appropriate to conflict resolution;

(f) Encourage, in particular, the participation of community and non-governmental organizations by:

(i) Reviewing and adjusting legal and regulatory frameworks in order to recognize and stimulate the diverse forms of organization of the population engaged in the production and management of land, housing and services;

(ii) Considering financial systems that recognize organizations as credit holders, extend credit to collective units backed by collective collateral and introduce financial procedures that are adapted to the needs of housing production by the people themselves and to the modalities through which the population generates income and savings;

(iii) Developing and implementing complementary measures designed to enhance their capabilities, including, where appropriate, fiscal support, educational and training programmes, and technical assistance and funds in support of technological innovation;

(iv) Supporting the capacity-building and accumulation of experience carried out by non-governmental organizations and peoples' organizations in order to make them efficient and competent partners in the implementation of national housing plans of action;

(v) Encouraging lending institutions to recognize that community-based organizations may act as guarantors for those who, because of poverty or discrimination, lack other sources of equity, giving particular attention to the needs of individual women.

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(d) Mobilizing sources of finance

60. Housing finance institutions serve the conventional market but do not always respond adequately to the different needs of large segments of the population, particularly vulnerable and disadvantaged groups, people living in poverty and low-income people. In order to mobilize more domestic and international resources for housing finance and extend credit to more households it is necessary to integrate housing finance into the broader financial system and to use existing instruments or develop new instruments, as appropriate, to address the financial needs of people having limited or no access to credit.

Actions

61. To improve the effectiveness of existing housing finance systems, Governments at the appropriate levels should:

(a) Adopt policies that increase the mobilization of housing finance and extend more credit to people living in poverty, while maintaining the solvency of credit systems;

(b) Strengthen the effectiveness of existing housing finance systems;

(c) Enhance the accessibility of housing finance systems and eradicate all forms of discrimination against borrowers;

(d) Promote transparency, accountability and ethical practices in financial transactions through support from effective legal and regulatory frameworks;

(e) Establish, where necessary, a comprehensive and detailed body of property law and property rights, and enforce foreclosure laws to facilitate private-sector participation;

(f) Encourage the private sector to mobilize resources to meet varying housing demands, including rental housing, maintenance and rehabilitation;

(g) Support the competitiveness of mortgage markets and, where appropriate, facilitate the development of secondary markets and securitization;

(h) Decentralize, as appropriate, the lending operations of mortgage markets and encourage the private sector to do the same in order to provide greater physical access to credit, especially in rural areas;

(i) Encourage all lending institutions to improve their management and the efficiency of their operations;

(j) Encourage community mortgage programmes that are accessible to people living in poverty, especially women, in order to increase their productive capacity by providing them with access to capital, resources, credit, land, technology and information so that they can raise their income and improve their living conditions and status within the household.

62. To create new housing finance mechanisms, as necessary, Governments at the appropriate levels should:

(a) Harness the potential of non-traditional financing arrangements by encouraging communities to form housing and multi-purpose community development cooperatives, especially for the provision of low-cost housing;

(b) Review and strengthen the legal and regulatory framework and institutional base for mobilizing non-traditional lenders;

(c) Encourage, in particular by removing legal and administrative obstacles, the expansion of savings and credit cooperatives, credit unions, cooperative banks and cooperative insurance enterprises, and other non-bank financial institutions, and establish savings mechanisms in the informal sector, particularly for women;

(d) Support partnerships between such cooperative institutions and public and other financing institutions as an effective means of mobilizing local capital and applying it to local entrepreneurial and community activity for housing and infrastructure development;

(e) Facilitate the efforts of trade unions, farmers', women's and consumers' organizations, organizations of people with disabilities, and other associations of the populations concerned to set up their own cooperatively organized or local financial institutions and mechanisms;

(f) Promote the exchange of information on innovations in housing finance;

(g) Support non-governmental organizations and their capacity to foster the development, where appropriate, of small savings cooperatives.

63. To facilitate access to housing for those not served by existing finance mechanisms, Governments should review and rationalize, where appropriate, systems of subsidies through policies that will ensure their viability, [equity] and transparency, thus allowing many people without access to credit and land to enter the market.

(e) Ensuring access to basic infrastructure and services

64. Basic infrastructure and services at the community level include the delivery of safe water, sanitation, waste management, social welfare, transport and communications facilities, energy, health and emergency services, schools, public safety, and the management of open spaces. The lack of adequate basic services, a key component of shelter, exacts a heavy toll on human health, productivity and the quality of life, particularly for people living in poverty in urban and rural areas. Local and state/provincial authorities, as the case may be, have the primary responsibility to provide or enable delivery of services, regulated by appropriate legislation and standards. Their capacity to manage, operate and maintain infrastructure and basic services must be supported by central Governments. There are, however, a host of other actors, including the private sector, communities and non-governmental organizations, who can

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participate in service provision and management under the coordination of Governments at the appropriate levels, including local authorities.

Actions

65. To safeguard the health, safety, welfare, and improved living environment of all people and to provide adequate and affordable basic infrastructure and services, Governments at the appropriate levels, including local authorities, should promote:

(a) The supply of and access to adequate quantities of safe drinking water;

[(b) Adequate sanitation and [technically sound] [environmentally sound] waste management;]

(c) Adequate mobility through access to affordable and physically accessible public transport and other communications facilities;

(c bis) Access to markets and retail outlets for selling and purchasing basic necessities;

(d) The provision of social services, especially for underserved groups and communities;

(e) Access to community facilities, including places of worship;

(f) Access to sustainable sources of energy;

(g) Environmentally sound technologies and the planning, provision and maintenance of infrastructure, including roads, streets, parks and open spaces;

(h) A high level of safety and public security;

(i) The use of a variety of planning mechanisms that provide for meaningful participation to reduce the negative impacts on biological resources, such as prime agricultural land and forests, that may arise from human settlements activities;

(j) Planning and implementation systems that integrate all of the above factors into the design and operation of sustainable human settlements.

66. To ensure the [equitable] provision of basic infrastructure and service delivery systems, Governments at the appropriate levels, including local authorities, should:

(a) Work with all [stakeholders] in providing serviced land and in allocating adequate space for basic services as well as for recreational and open space in the development of new schemes and the upgrading of existing ones;

(b) Involve local communities, particularly women, children and persons with disabilities, in decision-making and in setting priorities for the provision of services;

(c) Involve, encourage and assist, as appropriate, local communities, particularly women, children and persons with disabilities, in setting standards for community facilities and in the operation and maintenance of those facilities;

(d) Support the efforts of academic and professional groups in analysing the need for infrastructure and services at the community level;

(e) Facilitate the mobilization of funds from all [stakeholders], especially the private sector, for increased investment;

(f) Establish support mechanisms to enable people living in poverty and the disadvantaged to have access to basic infrastructure and services;

(g) Promote dialogue among all [stakeholders] to help provide basic services and infrastructure.

67. To ensure the efficiency of infrastructure and the provision of services and their operation and maintenance practices, Governments at the appropriate levels, including local authorities, should:

(a) Create mechanisms to promote autonomous, transparent and accountable management of services at the local level;

(b) Create an enabling environment to encourage the private sector to participate in the efficient and competitive management and delivery of basic services;

(c) Promote the application of appropriate and environmentally sound technologies for infrastructure and delivery of services on a cost-effective basis;

(d) Promote partnerships with the private sector and with non-profit organizations for the management and delivery of services and, where necessary, improve the regulatory capacity of the public sector and apply pricing policies that ensure economic sustainability and efficient use of services as well as equal access to them by all social groups;

(e) Where appropriate and feasible, establish partnerships with community groups for the construction, operation and maintenance of infrastructure and services.

(f) Improving planning, design, construction, maintenance and rehabilitation

68. With rapid urbanization, population growth and industrialization, the skills, materials and financing for the planning, design, construction, maintenance, and rehabilitation of housing, infrastructure and other facilities are often not available or are of inferior quality. Public policy and private investment should, together, facilitate an adequate supply of cost-effective

building materials, construction technology and bridging finance to avoid the bottlenecks and distortions that inhibit the development of local and national economies. By improving the quality and reducing the cost of production, housing and other structures will last longer, be better protected against disasters, and be affordable to low-income populations and accessible to persons with disabilities, which will provide a better living environment. The potential for job creation and other positive [external] socio-economic impacts of the construction industry should be harnessed; its activity should be brought into harmony with the environment, and its contribution to overall economic growth should be exploited, all to the advantage of society at large. Institutional support should also be provided in the form of industrial standards and quality control, with particular attention to energy efficiency, health, accessibility, and consumer safety and protection.

68 bis. Meeting the actual needs of individuals, families and their communities cannot be achieved by looking at shelter in isolation. Provision of adequate social services and facilities, improving and rationalizing urban planning and shelter design to cope firmly with the actual needs of communities, as well as provision of technical and other relevant assistance to the inhabitants of unplanned settlements are essential for the improvement of living conditions.

Actions

69. To respond effectively to the requirements for appropriate planning, design, construction, maintenance and rehabilitation of shelter, infrastructure and other facilities, Governments at the appropriate levels should:

(a) Encourage and support research and studies to promote and develop indigenous planning and design techniques, norms and standards to match the actual needs of local communities;

(b) Encourage public participation in assessing real user needs, especially gender needs, as an integrated action of the planning and design process;

(c) Encourage the exchange of regional and international experience of best practices and facilitate the transfer of planning, design and construction techniques;

(d) Strengthen the capacities of training institutions and non-governmental organizations to increase and diversify the supply of skilled workers in construction and promote apprenticeship training, particularly for women;

(e) Make use of contracts with community-based organizations and, where applicable, the informal sector for the planning, design, construction, maintenance and rehabilitation of housing and local services, especially in low-income settlements, with an emphasis on enhancing the participation and, thus, short- and long-term gains of local communities;

(f) Strengthen the capacity of both public and private sectors for infrastructure delivery through cost-effective, employment-intensive methods, where appropriate, thereby optimizing the impact on the creation of employment;

(g) Promote research, exchange of information and capacity-building with respect to affordable and technically and environmentally sound building, maintenance and rehabilitation technologies;

(h) Provide incentives for engineers, architects, planners and contractors and their clients to design and build accessible energy-efficient structures and facilities by using locally available resources and to reduce energy consumption in buildings in use;

(i) Provide training to professionals and practitioners in the construction and development sector to update their skills and knowledge in order to promote the development of shelter programmes that serve the interests and needs of women, persons with disabilities and disadvantaged groups and that ensure their participation at all stages of the shelter development process;

(j) Adopt and ensure the enforcement of appropriate standards relating to planning, design, construction, maintenance and rehabilitation;

(k) Support private-sector initiatives to provide bridging loans to builders at reasonable interest rates;

(l) Support professional groups in offering technical assistance in planning, design, construction, maintenance, rehabilitation and management to community-based organizations, non-governmental organizations and others engaged in self-help and community-based development;

(m) Strengthen and make more transparent government regulatory and inspection systems;

(n) Join with professional societies to review and revise building codes and regulations based on current standards of engineering, building and planning practices, local conditions and ease of administration, and adopt performance standards, as appropriate;

(o) Support non-governmental organizations and other groups to ensure the full [and equal] participation of women and persons with disabilities in the planning, design and construction of houses to suit their specific individual and family requirements.

70. To promote and support an adequate supply of locally produced, environmentally sound, affordable and durable basic building materials, Governments at the appropriate levels, in cooperation with all other [stakeholders], should:

(a) Where appropriate, encourage and support the establishment and expansion of environmentally sound, small-scale, local building materials industries and the expansion of their production and commercialization through, inter alia, legal and fiscal incentives and the provision of credit, research and development, and information;

(b) As required, provide policies and guidelines to facilitate fair market competition for building materials with enhanced participation of local [stakeholders] and establish a public mechanism to enforce them;

(c) Promote information exchange and the flow of appropriate environmentally sound, affordable and accessible building technologies and facilitate the transfer of technology;

(d) With adequate attention to safety needs, reformulate and adopt building standards and by-laws, where appropriate, to promote and permit the use of low-cost building materials in housing schemes, and use such materials in public construction works;

(e) Where appropriate, promote partnerships with the private sector and non-governmental organizations to create mechanisms for the commercial production and distribution of basic building materials for self-help construction programmes;

(f) Evaluate on a regular basis the progress made in the pursuit of the above objectives.

71. To enhance the local capacity for environmentally sound production of building materials and construction techniques, Governments at the appropriate levels, including local authorities, in cooperation with all [stakeholders], should:

[(a) Intensify and support research efforts to find substitutes for or optimize the use of non-renewable resources, particularly fossil fuels, and to reduce their polluting effects, paying special attention to recycling, re-use of waste materials and increased reforestation;]

(b) Encourage and promote the application of low-energy, environmentally sound and safe manufacturing technologies backed by appropriate norms and effective regulatory measures;

(c) Adopt mining and quarrying policies and practices that ensure minimum damage to the environment.

4. Vulnerable groups

72. Vulnerability is the inability to compete on an equal basis for resources and opportunities. Vulnerability is often caused by marginalization in and exclusion from the socio-economic mainstream and decision-making processes. If vulnerability is to be reduced, there is a need to improve and ensure access by members of vulnerable groups to shelter, finance, infrastructure, basic social services, safety nets and decision-making processes. [Depending on local conditions in the housing sector and the availability of legal protection guaranteeing equal access to resources and opportunities,] vulnerable

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individuals come from disadvantaged groups, such as people living in poverty, homeless persons, older persons, women, youth, children (particularly street children), persons with disabilities, [documented] migrants, internally displaced persons, people affected by natural and technological disasters and environmental degradation, minorities and indigenous people. With regard to shelter, members of vulnerable groups are especially at risk when they may have no security of tenure or where they lack basic services or face disproportionate environmental and health impacts, or because they may be excluded, either inadvertently or deliberately, from the housing market and services.

72 bis. Adequate shelter must be recognized as an important component of the particular care and assistance to which children and their families, as well as children living outside or without families, have a right. Special consideration must be given to the needs of children living in difficult circumstances.

72 ter. [Inadequate shelter or lack of shelter contributes to a loss of dignity and health in the lives of refugees.] There is a need to strengthen the support for the international protection of and assistance to refugees, especially refugee women and refugee children, who are particularly vulnerable.

Actions

73. To remove barriers and eradicate discrimination in the provision of shelter, Governments at the appropriate levels, including local authorities, should:

(a) Review and revise legal, fiscal and regulatory frameworks that act as barriers within the shelter sectors;

(a bis) Support, through legislation, incentives and other means, where appropriate, organizations of vulnerable and disadvantaged groups so that they may promote their interests and become involved in local and national economic, social and political decision-making;

(b) Establish laws and regulations aimed at preventing discrimination and barriers and, where such laws and regulations already exist, ensure their enforcement;

(c) Work with the private sector cooperatives and local communities and other [stakeholders] to raise the awareness of the need to eliminate prejudice and discrimination in housing transactions and provision of services;

(d) Consider becoming parties to the relevant conventions of the United Nations system that deal with specific and special needs of vulnerable groups, such as the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families;

(e) Promote systems of public transport that are affordable and accessible in order to make a wider range of housing and jobs available to vulnerable groups;

(f) Provide vulnerable and disadvantaged groups with access to information and with opportunities to participate in the local decision-making process on community and shelter issues that will affect them;

(g) Provide increased coverage of water supply and sanitation services to ensure that vulnerable and disadvantaged groups have access to adequate quantities of safe water and to hygienic sanitation.

74. To provide for the shelter needs of vulnerable groups, Governments at appropriate levels, including local authorities, in cooperation with all [stakeholders], as appropriate, should:

(a) Provide, where appropriate, targeted and transparent subsidies, social services and various types of safety nets to the most vulnerable groups;

(b) Work with the private and non-profit sectors and community-based organizations and other actors to provide adequate shelter for members of vulnerable groups, making special efforts to remove all physical constraints to the independent living of persons with disabilities and of older persons;

(c) Strive to provide special living facilities and shelter solutions for members of vulnerable groups, as appropriate, such as shelters for women subjected to violence, or shared living arrangements for persons with mental or physical disabilities;

(d) Provide an environment that enables vulnerable groups to participate in the social, economic and political life of their community and country.

75. To reduce vulnerability, Governments at appropriate levels, including local authorities, should:

(a) Work with non-governmental organizations and community-based organizations to assist members of vulnerable groups to obtain secure tenure;

(b) [Protect by law all people from illegal evictions, including the dismantling of rent-control systems; when evictions are unavoidable, ensure that they are carried out strictly according to the law];

(b bis) [Protect all people from forced evictions that violate human rights and adopt adequate regulatory policies with regard to such evictions and, where evictions are unavoidable in the public interest, provide for alternative solutions];

(b ter) [Enact and enforce laws to protect people from illegal evictions];

(c) Promote and support self-help housing programmes and initiatives;

(d) Promote, where appropriate, compliance with and enforcement of all health and environmental laws, especially in low-income areas with vulnerable groups;

(d _bis_) Facilitate actions aimed at, _inter alia_, ensuring legal security of tenure, capacity-building and improving access to credit, which, apart from subsidies and other financial instruments, can provide safety nets that reduce vulnerability;

(e) Pursue policies that will provide information to and consultation with vulnerable groups;

(f) Facilitate the availability of legal information and assistance to vulnerable groups;

(g) Promote the use of tools for disaster prevention, mitigation and preparedness in order to reduce the vulnerability of populations to natural, man-made and technological disasters.

C. Sustainable human settlements development in an urbanizing world

(Paragraphs 76-128)

Notes on chapter IV, section C

Paragraphs 76 through 99 were submitted by Working Group II as document A/CONF.165/PC.3/L.3/Add.6 to the Preparatory Committee at its 6th plenary meeting, on 16 February. These paragraphs, as amended by Working Group II, were adopted by the Plenary and forwarded to the Conference.

Paragraphs 100 through 128 were informally negotiated but not adopted by either Working Group II or the Plenary of the Preparatory Committee at its third session. These paragraphs were issued as document A/CONF.165/PC.3/L.3/Add.7. Omissions and corrections to this document were issued separately. Neither the document nor its corrections were considered by Working Group II. However, the corrections have been incorporated in the present document. At the 6th plenary meeting of the Preparatory Committee, delegations agreed that paragraphs 100 to 128 would remain in brackets with a footnote stating that they had been informally negotiated but not adopted.

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C. Sustainable human settlements development in an urbanizing world 14/

1. Introduction

76. [Rapid urbanization, the concentration of urban population in large cities, the sprawl of cities into wider geographical areas and the rapid growth of mega-cities are among the most significant transformations of human settlements.] By the year 2000 more than half of the world's population will live in urban areas, and approximately 40 per cent of them will be children. Urban areas will strongly influence the world of the twenty-first century, and urban and rural populations will be increasingly interdependent for their economic, environmental and social well-being. Among the economic and social factors influencing this process are population growth and voluntary and involuntary migration, real and perceived employment opportunities, cultural expectations, changing consumption and production patterns and serious imbalances and disparities among regions.

77. The sustainability of the global environment and human life will not be achieved unless, among other things, human settlements in both urban and rural areas are made economically buoyant, socially vibrant and environmentally sound, with full respect for cultural, religious and natural heritage and diversity. Urban settlements hold a promise for human development and for protection of the world's natural resources through their ability to support large numbers of people while limiting their impact on the natural environment. Yet, many cities are witnessing harmful patterns of growth, of production and consumption, of land use, of mobility and of degradation of their physical structure. Such problems are often synonymous with soil, air and water pollution, waste of resources and destruction of natural resources. Some human settlements are also subject to limited water supply, sanitation and drainage and to dependency upon toxic and non-renewable energy fuel sources and irreversible loss of biodiversity. Many of these trends are aggravated or accelerated by high population growth and the magnitude of rural-to-urban migration. [Demographic factors, combined with poverty and lack of access to resources [in some areas] and excessive consumption and wasteful production patterns in others/ unsustainable patterns of production and consumption, particularly in industrialized countries, cause or exacerbate problems of environmental degradation and resource depletion and thus inhibit sustainable development.] Therefore, a largely urbanized world implies that sustainable development will depend very largely on the capacity of urban and metropolitan areas to manage the production and consumption patterns and the transport and waste disposal systems needed to preserve the environment.

77 bis. The municipal level of government can be an effective partner in making human settlements viable, equitable and sustainable, since its level of administration is closest to the people. Governments must recognize the essential role of local authorities in providing services and empowering people to secure economic development, social welfare and environmental protection for

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14/ Paragraphs 76 to 99 were adopted by the Plenary of the third session of the Preparatory Committee on 16 February 1996.

their communities, and the role of international cooperation among local authorities. Local authorities can construct, operate and maintain economic, social and environmental infrastructure, oversee planning processes, establish local environmental policies and assist in implementing national and subnational environmental policies. They play a vital role in educating and mobilizing people and in responding to public demands to promote sustainable development. [At the United Nations Conference on Environment and Development, the international community agreed on a set of objectives and actions aimed at promoting sustainable development. Agenda 21 developed the concept of an "enabling approach" and other important aspects of sustainable human settlements development. The "local Agenda 21" framework emphasizes the need for local authorities to work in cooperation with all [stakeholders], including individuals, social groups and the private sector, to promote and implement effective strategies for sustainable development].

[77 ter. Given the magnitude of the challenges that human settlements pose, society must value and take advantage of the wisdom, knowledge and skills of every person. Sustainable human settlements development requires cooperative and complementary actions among [stakeholders]. The mix of [stakeholders] appropriate for participation may be different in each instance, depending on who has responsibility for or is affected by the topic being addressed. As a general matter, [stakeholders] include women and men of all ages, Governments at the appropriate level, non-governmental organizations, community-based organizations, business, labour and environmental organizations.]

77 quater. At the United Nations Conference on Environment and Development, the international community agreed on a set of objectives and actions aimed at promoting sustainable human settlements development. In chapter 7 of Agenda 21, the concept of an "enabling approach" in the human settlements sector was developed, whereby a partnership among the public, private and community sectors sought to improve the social, economic and environmental quality of human settlements and the living and working environments of all people, in particular persons living in poverty in urban and rural areas. Particular emphasis was given to participation in the decision-making process by community groups, women, indigenous people, the elderly and people with disabilities.

78. In the process of urbanization, policies and programmes for the sustainable development of human settlements in both rural and urban areas require strong subnational governmental institutions working in partnership with all [stakeholders]. Such institutions are still weak in many countries, and their effectiveness is threatened by increasing problems of political regionalism and ethnic strife. All of these concerns and demands require a regional and cross-sectoral approach to human settlements planning, which places emphasis on rural/urban linkages and treats villages and cities as two ends of a human settlements continuum in a common ecosystem.

79. Increasingly, cities have a network of linkages that extends far beyond their boundaries. [Sustainable urban development should consider the carrying capacity of the entire ecosystem supporting such development, including the mitigation of adverse environmental impacts occurring outside urban areas.] The unsafe disposal of waste leads to the degradation of the natural environment: aquifers, coastal zones, ocean resources, wetlands, natural habitats, forests

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and other fragile ecosystems are affected, as are the homelands of indigenous people. [Trade in hazardous waste and substances should [not] be carried out/in accordance with relevant international agreements by parties to those agreements.] Rapid urbanization in coastal areas is causing the rapid deterioration of coastal and marine ecosystems.

80. The diversity of types of human settlements is a key component to creating just and sustainable societies. The living and working conditions in all human settlements, including regional urban centres, rural service centres, rural hamlets, rural communities, market towns and villages, must be improved, with particular emphasis on shelter, social and physical infrastructure, and services. The maintenance and the development of rural settlements require sustainable agriculture and forestry activities and improved agricultural technologies, economic diversification, and expanded employment opportunities created by encouraging appropriate and environmentally sustainable investment in industry and related economic production and service activities.

80 bis. [In order to mitigate the unbalanced geographical development of human settlements, and to effectively reinforce the creation of a dynamic economy, Governments at appropriate levels should create partnerships with relevant [stakeholders] to encourage the sustainable development and management of cities of all sizes and should create conditions that ensure that these different cities provide employment opportunities and services in the process of securing economic development, social welfare and environmental protection. They should devise strategies and support measures that address the issues relating to the movement of population which leads to extreme population concentration in some areas, pressure on fragile ecosystems such as coastal areas, and loss of population in other areas.]

81. International cooperation, including city-to-city cooperation is both necessary and mutually beneficial in promoting sustainable human settlements development. Depending on the context and needs of the cities, towns and villages in each country and region, special attention should be paid to the most critical issues, such as changing production and consumption patterns; energy efficiency; sustainable resource and land-use management; poverty eradication; population and health; water supply, sanitation and waste management; disaster prevention, mitigation, preparedness and management; cultural, natural and historical heritage; environmental protection; industry; infrastructure; and basic services such as health and education facilities and services. Habitat II provides an opportunity to focus on the effect that current patterns of human settlements development will have on the ability to achieve the objectives established at recent United Nations conferences. Close attention to trends in urban development is essential to the viability of sustainable human settlements development in rural and urban areas alike.

2. Sustainable land use

82. Land is essential for the provision of food, water and energy for many living systems, and is critical to human activity. In rapidly growing urban areas, access to land is rendered increasingly difficult by the potentially competing demands of housing, industry, commerce, infrastructure, transport,

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agriculture and the need for open spaces and green areas, and the protection of fragile ecosystems. The rising costs of urban land and other factors prevent persons living in poverty and members of other vulnerable and disadvantaged groups from gaining access to suitable land, the location of which does not pose economic, environmental or health risks to the residents for such reasons as its proximity to polluting industrial facilities, inappropriate geographical conditions or its susceptibility to natural disasters. Bringing the development of urban areas into harmony with the natural environment and the overall system of settlements is one of the basic tasks to be undertaken in achieving a sustainable urbanized world. The tools for achieving a physically more balanced development include not only specific urban and regional policies and legal, economic, financial, cultural and other measures, but also innovative methods of urban planning and design and of urban development, revitalization and management. National, subnational and local policies and problems need to be integrated. [The precautionary principle/approach and the use of environmental and social impact assessment are essential.]

[82 bis. Land use is closely related to water resource management because of the critical need to protect aquifers and other fresh-water resources from the harmful effects of human settlements. Special attention should be paid to guiding potentially hazardous activities away from the fragile areas. Oceans should be protected from land-based sources of pollution, where appropriate.]

83. Many cities are using peripheral land for urban-related purposes in a wasteful manner while existing serviced land and infrastructure may not be adequately developed and used. To avoid unbalanced, unhealthy and unsustainable growth of human settlements, it is necessary to promote land-use patterns that minimize transport demands, save energy and protect open and green spaces. Appropriate urban density and mixed land-use guidelines are of prime importance for urban development. National, subnational and local policies and development plans must be carefully re-examined to ensure optimal land use and geographically better balanced economic development, including the protection of indispensable agricultural land; land that sustains biodiversity, water quality and groundwater recharge; fragile areas, including coastal areas; and other sensitive areas in need of protection.

83 bis. Green spaces and vegetation cover in urban and peri-urban areas are essential for biological and hydrological balance and economic development. Vegetation creates natural habitats and permits better absorption of rainwater by natural means, which implies savings in water management. Green areas and vegetation also play an important part in reducing air pollution and in creating more suitable climatic conditions, thereby improving the living environment in cities. Healthy and environmentally sound agricultural activities and the provision of common land should be integrated into the planning of urban and peri-urban areas.

Actions

84. Governments at the appropriate levels, including local authorities and other [stakeholders], with the support of the relevant international and regional institutions, should support the efforts of human settlements to

establish sustainable urban land-use patterns and planning and, to that end, should:

(a) Establish, as appropriate, legal frameworks to facilitate the development and implementation, at the national, subnational and local levels, of public plans and policies for sustainable urban development and rehabilitation, land utilization, housing and the improved management of urban growth;

(b) Promote efficient and accessible land markets that are responsive to demand and meet community needs;

(c) Develop, where appropriate, fiscal incentives and land-use control measures, including land-use planning solutions for more rational and sustainable use of limited land resources;

(d) Focus greater attention on meeting the capital investment requirements of human settlements through resource mobilization strategies and policies that facilitate greater flows of private investment in urban development in locations that contribute to sustainable land-use patterns;

(e) Encourage partnerships among the public, private and voluntary sectors and other [stakeholders] in managing land resources for sustainable urban development;

[(e bis) Promote urban planning, housing and industrial siting initiatives that discourage the siting of hazardous industrial facilities in residential areas;]

[(e ter) Seek to prevent or minimize pollution and exposure to pollution from industrial facilities, while also promoting urban planning, housing and industrial siting initiatives that discourage the disproportionate siting of polluting industrial facilities in areas inhabited by people living in poverty or members of other vulnerable and disadvantaged groups;]

(f) Develop and support the implementation of improved land-management practices that deal comprehensively with competing urban land requirements for housing, industry, commerce, infrastructure, transport, green spaces and forested areas, taking into account the need for spaces for everyday activities - for playgrounds, parks, sports and recreation areas and areas suitable for gardening and urban agriculture;

(g) Promote the integration of land-use, communications and transport planning to encourage development patterns that reduce the demand for transport;

(g bis) Develop and implement integrated coastal zone management plans to ensure the proper development and conservation of coastal resources;

(h) Promote the use of tools and the development of capacities for transparent urban monitoring and reporting activities based on appropriate indicators for the environmental, social and economic performance of cities;

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(i) Institutionalize a participatory approach to sustainable human settlements through the development and support of strategies and mechanisms that encourage open and inclusive dialogue among all [stakeholders], with special attention to the needs and priorities of women, minorities, children, youth, people with disabilities, older persons and persons living in poverty and exclusion;

(j) Promote best practices for community-based land management in human settlements;

(k) Strengthen capacities in integrated environmental management.

85. To develop and support improved and integrated land management, Governments at the appropriate levels, including local authorities, should:

(a) Develop integrated land information and mapping systems;

[(b) Consider, as appropriate, establishing local structures, such as commissions and tribunals for the enforcement of land management laws and regulations in order to make enforcement and appeals more efficient and effective;]

[(c) Develop the land market through the establishment of an effective and environmentally sound legal framework which encompasses lands with diverse tenure systems;]

(d) Develop, with the participation of all [stakeholders], comprehensive and environmentally sound land-use strategies at the local level.

3. Eradication of poverty [, social development] and creation of employment

86. Promoting equitable, socially viable and stable human settlements is inextricably linked to reducing and eradicating poverty. The concerns of the first United Nations Decade for the Eradication of Poverty are shared by the international community, which also acknowledges [the increasing feminization of poverty]. Poverty has various manifestations, including homelessness and inadequate housing. The eradication of poverty requires, inter alia, sound macroeconomic policies aimed at creating employment opportunities, equal and universal access to economic opportunities (and special efforts to facilitate such access for the disadvantaged); education and training that will promote sustainable livelihoods through freely chosen productive employment and work, and basic social services, including health facilities. However, there are no universal solutions that can be applied. People living in poverty must be empowered through freely chosen participation in all aspects of political, economic and social life. Other key elements of a poverty reduction strategy include policies geared to [reducing inequalities, increasing opportunities, providing access to resources, and [employment] income;] providing social protection for those who cannot support themselves; recognizing the special needs and skills of women; developing human resources; improving infrastructure,

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including communication facilities, and making it more accessible; and [taking comprehensive national responsibility for meeting] the basic needs of all.

Actions

87. To promote the [equitable] provision of services in human settlements, Governments at the appropriate level, including local authorities, should:

[(a) Formulate and implement integrated settlement development policies that ensure equal access to and maintenance of basic services, including those related to the provision of food security; education; employment and livelihood; primary health care, including reproductive and sexual health care and services; safe drinking water and sanitation; adequate shelter; and access to open and green spaces; giving special priority to the needs and rights of women and children, who often bear the greatest burden of poverty;]

(b) Where appropriate, redirect public resources to encourage community-based management of services and infrastructure and promote the participation of the private sector and local residents, including people living in poverty, women, people with disabilities, indigenous people and members of disadvantaged groups, in the identification of public service needs, spatial planning and the design, provision and maintenance of urban infrastructure and open and green spaces.

88. To promote social integration, Governments at the appropriate levels, including local authorities, recognizing the importance of volunteer contributions and in close cooperation with non-governmental organizations, community-based organizations, the cooperative sector and public and private foundations, should:

(a) Prohibit [all] discriminatory, exclusionary practices related to shelter, employment and access to social and cultural facilities;

(b) Offer opportunities and physical spaces to encourage positive interaction among culturally diverse groups;

(c) Involve marginalized and/or disadvantaged groups and individuals in the planning, decision-making, monitoring and assessment related to human settlements development;

[(d) Encourage, in cooperation with relevant [stakeholders], the development of school curricula geared to conscious understanding and cooperation among diverse cultural groups.]

89. Urban and rural poverty and unemployment represent severe constraints for human settlements development. In order to combat poverty, Governments at the appropriate levels, including local authorities, in partnership with all relevant [stakeholders], including workers' and employers' organizations, should:

(a) Stimulate productive employment opportunities that generate income sufficient to achieve an adequate standard of living for all people, while ensuring equal employment opportunities and wage rates for women and encouraging the location of employment opportunities near and in the home, particularly for women living in poverty and people with disabilities;

(a bis) Safeguard the [basic] rights and interests of workers and, to this end, promote respect for the relevant conventions of the International Labour Organization; in particular, pursue the goal of ensuring quality jobs, improve policies that reduce environmental health hazards and provide the informal sector and all workers with accessible information on how to enhance occupational safety and reduce health risks;

(b) Promote, where appropriate, cost-effective labour-intensive investments and methods to provide, rehabilitate and maintain settlement infrastructure and services;

(c) Promote contracting and procurement that, as appropriate, facilitate the involvement of the local private sector, including small businesses and contractors, and, when appropriate, the informal sector and the community sector in the provision of basic public goods and services;

(c bis) Ensure that people living in poverty have access to productive resources, including credit, land, education and training, technology, knowledge and information, as well as to public services, and that they have the opportunity to participate in decision-making in a policy and regulatory environment that would enable them to benefit from employment and economic opportunities;

(d) Promote access to credit and innovative banking alternatives to women and to those living in poverty, including those who work in the informal sector, family enterprises and small-scale enterprises;

(e) Promote and strengthen productive enterprises, including micro-enterprises and small-scale private and cooperative sector enterprises and expand market and other employment and training opportunities for women, men and youth, including people with disabilities and, where appropriate, strengthen the linkages between the informal and formal sectors;

(e bis) Promote, where appropriate, timely access of the unemployed, particularly persons living in poverty, to education and vocational training;

(f) Establish and strengthen programmes designed to improve project management skills for community-based and non-governmental organizations, including youth organizations, at the community and local levels, including needs assessment, project setting and design, financial management, project implementation and impact assessment, monitoring and evaluation;

(g) Encourage the establishment of community-based organizations, private voluntary organizations and other non-governmental organizations that contribute to efforts to eradicate poverty;

(h) Promote public awareness of job opportunities through the mass media.

90. In order to promote gender-sensitive planning and management of human settlements, Governments at the appropriate levels, including local authorities, in collaboration with women's groups and other [stakeholders], should:

(a) Adopt, where appropriate, by-laws, standards and norms and develop planning guidelines that take into consideration the needs and situations of women and men and girls and boys in relation to human settlements planning, development and decision-making, and in the provision of and access to basic services, including public transportation, health and educational facilities;

(a bis) Consider in the planning process the fact that women are often involved in the informal sector and use their homes for business or market activities;

(b) Promote representative structures, while ensuring women's full [and equal opportunities for] participation;

(c) Develop policy guidelines and programmes that encourage and actively pursue the involvement of women's groups in all aspects of community development related to environmental infrastructure and the provision of basic urban services, and encourage women's own cooperatives, as well as their membership in other cooperatives;

(c bis) Recognize that women, as primary family caregivers, spend a greater proportion of time in the home and community [and, therefore, as experts in their own home and community, should participate fully and equally in all aspects of community development, especially environmental infrastructure and basic services];

(c ter) Foster economic policies that have a positive impact on the employment and income of women workers in both the formal and informal sectors and adopt specific measures to address women's unemployment, in particular their long-term unemployment;

(d) Eliminate legal and customary barriers, where they exist, to women's equal access to and control of land and finance;

(e) Promote equal access to all levels of education for girls and women;

(e bis) Establish programmes that address the [severe/absolute] poverty found among rural women, focusing on their need for adequate shelter and employment;

(f) Generate and disseminate [gender] disaggregated data, while ensuring that such statistics are collected, compiled, analysed and presented by age and sex; set up monitoring mechanisms in government structures, and integrate the results into mainstream policies for sustainable human settlements development;

[(f bis) Enhance community awareness of issues facing homeless and refugee women, especially those issues related to physical and sexual abuse, and design appropriate community responses;]

[(g) Ensure equal access to housing, land and public services in the urban and rural areas in line with the International Convention on the Elimination of All Forms of Discrimination against Women.]

[90 bis. In order to develop the full potential of young people and prepare them to take a responsible role in the development of human settlements, Governments at the appropriate levels, including local authorities, in partnership with private sector, non-governmental youth organizations and other non-governmental organizations as well as community-based organizations, should:

[(a) Integrate youth concerns into all relevant national, subnational and local policies, strategies, programmes and projects;

[(a bis) Enable youth by supporting and valuing their ability to play an active and creative role in building sustainable communities;

[(b) Provide equal access to basic education, paying special attention to people living in poverty and to youth living in rural areas and addressing constraints created by distance, lack of educational facilities and social or economic barriers;

[(c) Take special action to reduce the drop-out rate at all levels of education through increased relevance and quality education, and to facilitate the access of school leavers to sustainable livelihood;

[(d) Encourage awareness-raising campaigns and other actions developed and implemented by youth that are aimed at promoting the appreciation by youth of their historical, natural and cultural heritage and at increasing their consciousness of environmental values and the environmental implications of their consumption and behavioural choices, especially those related to sustainable human settlements development.]

[90 ter. In order to promote disability-sensitive planning and management of human settlements, Governments at the appropriate levels, including local authorities, should:

[(a) Promote the adoption of laws, by-laws, standards and norms and develop planning guidelines and programmes that take into consideration the specific needs of persons with disabilities, including the chronically ill, in all planning, development and decision-making in relation to human settlements;

[(b) Promote representative structures, ensuring full and equal opportunities for the participation of persons with disabilities;

[(c) Promote equal access to all levels of education and skills development for persons with disabilities;

[(d) Generate and disseminate disaggregated data, while ensuring that such statistics are collected, compiled, analysed and presented by age, sex and work status; set up monitoring mechanisms in government structures and integrate the results into mainstream policies for sustainable human settlements development;

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[(e) Recognize that people with disabilities are experts in their own housing and community requirements and should be decision makers, designers and implementers of them;

[(f) Enhance community awareness of health-care issues facing persons with disabilities, such as physical and sexual abuse and substance abuse, and design appropriate community responses;

[(g) Develop policies and guidelines and provide services that would enable persons with disabilities to be housed in community-based settings;

[(h) Develop and implement programmes that enable people with disabilities to have an equal opportunity to realize an income sufficient to attain an adequate standard of living;

[(i) Consider in the planning process the fact that persons with disabilities are often involved in the informal sector and use their homes for business or market activities.]

91. To prevent and reduce violence and crime, especially at the local levels, Governments, in partnership with all [stakeholders], should:

(a) Design, create and maintain livable human settlements that encourage the use of public spaces as centres of community life so that they do not become places for criminal activity;

[(a bis) Guarantee basic education to all;]

[(a ter) Assist crime prevention through social development by finding ways to help communities deal with the underlying factors that undermine community safety and result in crime by, inter alia, addressing poverty and inequality as the two basic components of the social development approach;]

(b) Encourage youth and children, in particular street children, to become [stakeholders] in their own future and in their community's future through education, recreation, and job training and counselling that can attract private sector investment and support from non-profit organizations;

(b bis) Enhance women's safety in communities through the promotion of a gender perspective in crime prevention policies and programmes by increasing in those responsible for implementing those policies the knowledge and understanding of the causes, consequences and mechanisms of violence against women;

(c) Establish programmes designed to improve the skills of local leadership in group facilitation, conflict resolution and intervention;

(d) As appropriate, promote personal security and reduce fear by improving police services, making them more accountable to the communities they serve, and by encouraging and facilitating, whenever appropriate, the formation of lawful community-based crime prevention measures and systems;

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(e) Provide accessible, affordable, impartial, prompt and humane local systems of justice by, inter alia, facilitating and strengthening, where appropriate, existing traditional institutions and procedures for the resolution of disputes and conflicts;

(e bis) Encourage the establishment of programmes and projects based on voluntary participation, especially of children, youth and older persons, to prevent violence, including violence in the home, and crime;

(e ter) Take concerted and urgent action to dismantle international and national sex trafficking networks.

92. To protect vulnerable and disadvantaged people, Governments at the appropriate levels, in partnership with all [stakeholders], should work together to:

(a) Adopt integrated, transparent and gender-sensitive environmental, social and economic policies and programmes for distressed areas and for areas characterized by social exclusion;

(b) Facilitate the participation of local organizations, including elder councils, women's groups, people's movements, youth groups, children's groups and organizations of people with disabilities and other organizations based in the community, in the decision-making processes concerning social welfare programmes;

(c) Promote and establish operational partnerships with social welfare and community development initiatives;

(d) Improve the planning and design of human settlements so as to respond specifically to the needs of vulnerable and disadvantaged people, especially persons with disabilities.

[3 bis. Population and sustainable development

[92 bis. The quality of life and the activities within human settlements are closely interrelated with such population dynamics as the growth, structure and distribution of population. Population movements within and between countries, including the very rapid growth of cities, and the unbalanced regional distribution of population need to be considered to ensure the sustainability of human settlements. In order to address population issues affecting human settlements and to fully integrate demographic concerns into human settlements policies, Governments at the appropriate levels should:

[(a) Ensure that population factors are appropriately addressed within decision-making processes, especially those dealing with urban/regional planning and management, infrastructure and basic-services provision or other related policies;

[(b) Where necessary, set up or enhance databases and conduct data collection and analysis to provide baseline information that can be used to better plan for population growth in cities, towns and villages;

[(c) Increase the awareness, knowledge and understanding of the impact of population on human settlements development at all levels of society through public information campaigns, education and communication efforts on health and family planning, as well as consumption and production patterns consistent with sustainable development.]

4. Environmentally sustainable [, livable] and healthy human settlements

93. [Sustainable human settlements depend on the creation of a better environment for human health and well-being, which will improve the living conditions of people and decrease disparities in the quality of their lives. People are entitled to a healthy and productive life in harmony with nature; furthermore, improved health can also contribute more to economic and social development.]

(Alternative)

[A better environment for human health and well-being is essential for sustainable human settlements. People are entitled to a healthy and productive life in harmony with nature. People with improved health can contribute more to economic and social development.]

[The health of the population depends at least as much on the control of environmental causes of poor health as on clinical responses to disease. Children's well-being is a particularly reliable indicator for healthy urban environments. Measures to prevent ill health and disease are as important as the availability of appropriate medical treatment and care. It is therefore essential to take a holistic approach to health, whereby both prevention and care are placed within the context of environmental policy, supported by effective management systems and plans of action incorporating targets that reflect local needs and capacities. [Education for all is a fundamental requirement for enabling women and men, young and old, to gain from improved practices and make use of and demand appropriate infrastructure and health and environmental services.]

94. Health problems related to adverse environmental conditions, including a lack of access to safe water and sanitation, inadequate waste management, poor drainage, air pollution, and exposure to excessive noise levels, as well as ineffective and inadequate health services, exact a heavy toll on the quality of life and the overall contribution to society of millions of people. They may also aggravate social tension and inequity and increase the vulnerability of people to the effects of disasters. [Environmental degradation may have a disproportionate effect on children, people with low incomes and indigenous people because of specific dietary habits, living conditions and occupational hazards.] An integrated approach to the provision of environmentally sound infrastructure in human settlements, particularly for people living in poverty

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in rural and urban areas, is an investment in sustainable human settlements development that can enhance the quality of life, reduce negative impacts on the environment, improve the overall health of a population, and reduce the burden of investment in curative health and poverty alleviation.

[95. Many pollution-related risks to health are particularly high in urban areas, as well as in low-income areas, because of higher concentrations of pollutants from, inter alia, industry, traffic, fumes from cooking and heating devices, overcrowding and inadequate solid and liquid waste management. Environmental risks in the home and the workplace may have a disproportionate impact on women's health because of women's different susceptibility to the toxic effects of various chemicals and given the nature of tasks that women frequently undertake. Environmental risks in the home may also have a disproportionate impact on children.]

95 bis. Many environmental contaminants, such as radioactive materials and persistent organic pollutants, work their way into the food chain and eventually into human beings, thus compromising the health of present and future generations.

[95 ter. Unsustainable and wasteful production and consumption patterns [particularly in industrialized countries] also lead to increasing problems in waste management. It is essential to intensify efforts aimed at minimizing the production and discharge of waste, and at recycling and reuse as much as possible and disposing of the remainder in an environmentally sound manner. This will require changes in attitudes and consumption patterns and in the design of buildings and neighbourhoods, as well as innovative, efficient and sustainable modalities for waste management.]

[95 quater. The design of the built environment is recognized as having an impact on people's well-being and behaviour and, thereby, on people's health. Good design in new housing and in upgrading and rehabilitation is important for the creation of sustainable living conditions. The large-scale development of high-rise housing can affect the micro-climate in an adverse way; it often has an alienating effect on social life; it reduces children's access to safe outdoor play; and it is difficult to maintain and operate such a habitat. The large-scale development of high-rise housing requires proper maintenance, regular technical inspection and social control and safety measures.]

Actions

96. To improve the health and well-being of all people throughout their life-span, particularly people living in poverty, Governments at the appropriate levels, including local authorities, in partnership with other [stakeholders], should:

(a) Develop and implement national, subnational and local health plans or strategies and strengthen environmental health services to prevent, mitigate and respond to diseases and ill health resulting from poor conditions in living and working environments and the conditions of people living in poverty;

[(a bis) Continue work towards the Agenda 21 objective of achieving a 10 to 40 per cent improvement in health indicators by the year 2000;]

(b) Adopt measures to prevent and control air, water and soil pollution and to reduce noise levels, where appropriate, and develop and ensure access to appropriate preventive and curative health-care systems in order to tackle related health problems;

(b bis) Ensure adequate research to assess how and to what extent women and children are particularly susceptible or exposed to environmental degradation and hazards, including, as necessary, research and data collection on specific groups of women and children, particularly women with low incomes, indigenous women and women belonging to minorities;

(c) Improve shelter conditions so as to mitigate those health and safety risks, particularly risks to women, older persons, children and people with disabilities, that are associated with activities in the home;

(d) Build capacity at all levels for effective environmental health management;

(d bis) Develop and implement programmes to ensure the availability of access to a full range of affordable, [good quality/basic] health-care services for women [throughout their life-span, including reproductive health care];

(d ter) Develop, where appropriate, criteria for maximum permitted and safe levels of noise exposure and promote noise assessment control as part of environmental health programmes;

(e) Raise awareness of the interdependencies between the environment and health and develop within communities the knowledge, attitudes and practices needed to improve personal and community health, with special attention to hygiene;

[(e bis) Promote, where appropriate, planning and good design in human settlements, both in new developments and in upgrading and rehabilitation, while emphasizing aesthetic qualities as well as sound and sustainable technical and functional qualities, enriching and enlightening the overall quality of life of the people;]

(f) Establish processes to increase the exchange of information, experience and technical assistance among national, subnational and local governments, including among governments at the same level, and across sectors for environmental health improvements;

[(f bis) Ensure that due priority is given and adequate resources made available, at the national, regional and international levels, to combat the threat to individuals and public health posed by the rapid spread of HIV/AIDS globally and by the re-emergence of major diseases, such as tuberculosis, malaria, onchocerciasis (river blindness) and diarrhoeal diseases, in particular cholera;]

(g) Promote safe and healthy workplace conditions for men and women.

97. To improve environmental conditions and reduce industrial and domestic waste and other forms of health risks in human settlements, Governments at the appropriate levels and in partnership with all [stakeholders] should:

(a) Develop and implement national and local [sustainable development plans and] policies and specific cross-sectoral programmes addressing all relevant chapters of Agenda 21, which should be action-oriented and have clear targets and schedules;

(b) Develop laws and policies that specify appropriate ambient environmental quality levels and set targets for environmental improvements and identify instruments for their achievement appropriate to national and subnational priorities and conditions;

(c) Establish, equip and build capacity for monitoring and evaluating compliance with environmental regulations and effectiveness of enforcement at all levels;

[(d) Set environmental standards so as to facilitate the selection and development of appropriate technologies and their appropriate use;]

[(d bis) Identify and address, as appropriate, the disproportionately high and adverse effects of policies and programmes on the human health or the environment of the poor, minorities and other vulnerable populations;]

(e) Provide incentives and disincentives to promote the use of clean production and energy- and water-saving processes and technologies that, among other things, can increase economic opportunities in the areas of environmental technology, environmental clean-up and environmentally friendly products and can improve the attractiveness and competitiveness of human settlements for economic investments;

(f) Provide guidelines and training for the application of procedures for the assessment of environmental health impacts;

[(g) Undertake strategic environmental impact assessments for development projects that may significantly affect the quality of the environment;]

(h) Support mechanisms for consultations and partnerships among [stakeholders] to prepare and implement local environmental plans and local Agenda 21s and specific cross-sectoral environmental health programmes;

(i) Raise awareness of environmental issues and develop within communities the knowledge, attitudes and practices needed for sustainable human settlements development;

(j) In cooperation with the international community, promote the protection of the living environment and strive to restore contaminated land, air and water to levels acceptable for sustainable human settlements.

[98. Recognizing the need for an integrated approach to the provision of those environmental services and policies that are essential for human life, Governments at the appropriate levels, in partnership with other [stakeholders], should:

(aa) Incorporate the following principles and strategies in developing this integrated approach: [the precautionary principle], the ecosystem approach, pollution prevention, carrying capacity and ecological footprint;

(a) Promote practices and consumption patterns that will conserve and protect freshwater and saltwater resources and topsoil, as well as air and soil quality;

(a bis) Ensure that clean water is available and accessible to all human settlements by the year 2000 through, inter alia, the adoption and improvement of technology, and ensure that environmental protection and conservation plans are designed and implemented to restore polluted water systems and rebuild damaged watersheds;

(b) Manage supply and demand for water in an effective manner that provides for the basic requirements of human settlements development, while paying due regard to the carrying capacity of natural ecosystems;

(b bis) Dispose, within both rural and urban areas by the year 2025, of all sewage, waste waters and solid wastes in a manner that conforms with national or international environmental quality guidelines;

(c) Promote environmental protection and public health by proper treatment and the recycling and re-use of environmentally compatible sanitation and treatment/disposal of waste water and solid waste;

(c bis) Make a concerted effort to reduce the generation of wastes and waste products by, inter alia, setting national and local goals for the packaging of wastes;

(d) Develop criteria and methodologies for the assessment of environmental impacts and resource requirements at the local level throughout the life cycle of products and processes;

(d bis) Develop and implement legal, fiscal and administrative mechanisms to achieve integrated ecosystem management;

(e) Establish mechanisms to ensure transparent, accountable and cost-effective management and maintenance of infrastructure.]

[98 bis. In order to promote a healthy environment that will continue to support sustainable human settlements for current and future generations, Governments at the appropriate levels, in partnership with all relevant [stakeholders], should:

[(a) Promote the conservation and sustainable use of urban and peri-urban biodiversity, including forests, local habitats and species biodiversity; the

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protection of biodiversity should be included within local sustainable development planning activities;

[(b) Protect existing forest resources and promote afforestation around and within human settlements in order to fulfil basic needs relating to energy, construction, recreation and food security;

[(c) Reduce the degradation of the marine environment emanating from land-based activities, including municipal, industrial and agricultural wastes and run-off, which have a pernicious impact on the most productive areas of the marine environment;

[(d) Ensure that children have access to the natural world on a daily basis through free play outdoors, and establish education programmes to help children investigate their community environments, including their natural ecosystems;

[(e) Ensure adequate opportunity for public participation by all [stakeholders] at all levels of environmental decision-making.]

[98 ter. Water resources management in human settlements presents an outstanding challenge for sustainable development. It combines the challenge of securing for all the basic human need for a reliable supply of safe drinking water and meeting the competing demands of industry and agriculture, which are crucial to economic development and food security, without compromising the ability of future generations to meet their water needs.

[Meeting this challenge requires an integrated approach to water resources management that takes cognizance of the links between water, sanitation and health, between the economy and the environment, and between cities and their hinterland, and harmonizes land-use planning and housing policies with water sector policies and ensures a comprehensive and coherent approach to setting and enforcing realistic standards. A strong political commitment, cooperation across disciplines and sectors, and an active partnership of all [stakeholders] is essential to integrated water resources management. To this end, Governments at the appropriate levels, in partnership with other [stakeholders], should:

[(a) Pursue policies for water resources management that are guided by the broader consideration of sustainability (economic, social and environmental) of human settlements at large, rather than by sectoral considerations alone;

[(b) Promote the forging of partnerships between the public and private sectors and between institutions at the national and local levels so as to improve the allocative efficiency of investments in water and sanitation and to increase operational efficiency;

[(c) Support responsible agencies in developing their capacity for assessing the effective demand of communities and incorporating such demand in the planning of environmental infrastructure services;

[(d) Implement the institutional and legal reforms necessary to remove the current overlaps and redundancies in the functions and jurisdictions of multiple sectoral institutions and to ensure effective coordination among those institutions in the delivery of services;

[(e) Introduce economic instruments and regulatory measures to reduce wastage of water and encourage recycling and reuse of waste water;

[(f) Carry out tenure regularization in informal settlements to achieve the minimum level of legal recognition required for the provision of basic services;

[(g) Remove the legal obstacles denying women the security of tenure and credit that are essential for gaining access to basic services;

[(h) Take into consideration the special needs of women in making technological choices in respect of the level of and access to basic services.]

[99. In a globalizing economy, the increasing occurrence of transboundary pollution and the transfer across national borders and regions of technologies hazardous to the environment represent a serious threat to the environmental conditions of human settlements and the health of their inhabitants. Governments should therefore cooperate to develop further bilateral and multilateral legal mechanisms to implement principle 13 of the Rio Declaration regarding "liability and compensation for adverse effects of environmental damage caused by activities within their jurisdiction or control to areas beyond their jurisdiction". In this context, States should be guided by principle 16 of the Rio Declaration, which encourages the approach that the polluter should, in principle, bear the cost of pollution. The international community, international organizations and Governments should also seek appropriate preventive measures in cases of clear risk of major environmental accidents with transboundary effects.]

99 bis. In seeking to prevent transboundary pollution and minimize its impacts on human settlements when it does occur, Governments should cooperate to develop appropriate mechanisms for assessing the environmental impact of proposed [projects and activities] that are likely to have [significant/gravely hazardous/adverse] impacts on the environment, including an evaluation of comments provided by other potentially affected countries. Governments should also cooperate to develop and implement mechanisms for prior and timely notification, exchange of information and consultation in good faith, and mitigation of the potential adverse effects regarding those [projects and activities], taking into account existing international agreements and instruments.

5. Sustainable energy use 15/

100. The use of energy is essential in urban centres for transportation, industrial production, and household and office activities. Current dependence in most urban centres on energy sources based on fossil fuels leads to climate change, air pollution and consequent environmental and human health problems, and [may] represent a serious threat to sustainable development. Sustainable energy production and use can be enhanced by encouraging energy efficiency, by such means as pricing policies, fuel switching, alternative energy, mass transit and public awareness. Human settlements and energy policies should be actively coordinated.

Actions

101. In order to promote sustainable energy use, Governments at the appropriate levels, in partnership with the private sector, non-governmental organizations, community-based organizations and consumer groups, should, as appropriate:

(a) Promote solutions to urban and rural planning and design that are conducive to efficient uses of energy and that pay due attention to end users and their attitudes and practices;

(b) Introduce energy-pricing policies and regulatory measures to promote the use of renewable and safe sources of energy and to improve the efficiency of energy use in human settlements, while ensuring that people living in poverty and their families are not disadvantaged;

(c) Promote energy-efficient systems, for example, by introducing or supporting innovative energy-efficient measures in the generation, distribution and use of energy, such as combined heating and cooling systems that make use of waste heat recovery, and co-generation of heating and electricity;

(d) Encourage research, development and use of non-motorized or low-energy transport systems and the use of renewable energy sources and technologies, such as solar, wind and biomass energy;

(e) Encourage countries, in particular developing countries, to cooperate in exchanging knowledge, experience and know-how in the phasing out of lead gasoline, through, *inter alia*, the use of biomass ethanol as an environmentally sound substitute;

15/ Paragraphs 100 to 128 were informally negotiated but not adopted by either Working Group II or the Plenary; these paragraphs are all in brackets as agreed by the Plenary on 16 February. After the closure of informal negotiations on paragraphs 100 to 128, which led to the issuance of document A/CONF.165/PC.3/L.3/Add.7, further informal negotiations took place on paragraphs 114, 124, 125, 126, 126 *bis*, 127, 127 *bis* and 128. This led to a number of corrections which are included in the texts of these paragraphs as shown in the present document.

(f) Introduce or amend user charges and/or other measures to promote the efficient use of household energy;

(g) Stimulate, through fiscal incentives or other measures, and adopt energy-efficient and environmentally sound technologies in the rehabilitation of existing industries and services and in the construction of new ones;

(h) Support programmes for the reduction and neutralization of emissions of polluting gases originating in the generation, transportation and use of energy;

(i) Provide for public education and media campaigns to encourage recycling, reuse and reduced energy consumption;

(j) Encourage the use of solar heating and cooling and electric technologies, energy efficient design, ventilation and improved insulation of buildings to reduce the consumption of energy in buildings;

(k) Encourage the use of safe industrial and agricultural waste products and other types of low-energy and recycled building materials in construction;

(l) Encourage and promote the development and dissemination of new and environmentally sound technologies, including the reduction of metal compounds as part of transportation fuels, and good practices in the use of energy.

6. Sustainable transport and communication systems

102. Transport and communication systems are the key to the movement of goods, people, information and ideas, and to access to markets, employment, schools and other facilities and land use, both within cities and between cities, and in rural and other remote areas. The transportation sector is a major consumer of non-renewable energy and of land and is a major contributor to pollution, congestion and accidents. Integrated transport and land-use policy and planning can reduce the ill effects of current transport systems. People living in poverty, women, children, youth, older persons and people with disabilities are particularly disadvantaged by the lack of accessible, affordable, safe and efficient public transport systems.

102 bis. Developments in communications technologies can have a significant impact on economic activity and human settlement patterns. It is important for the potential impacts to be addressed so as to ensure that maximum benefits accrue to the community and to reduce any adverse outcomes in relation to access to services.

103. Managing transport in human settlements should be done in a way that promotes good access for all to places of work, social interaction and leisure and facilitates important economic activities, including obtaining food and other necessities of life. This should be done while reducing the negative effects of transport on the environment. Transport-system priorities should be given to reducing unnecessary travel through appropriate land-use and communication policies, developing transport policies that emphasize mobility

alternatives other than the automobile, developing alternative fuels and alternative fuel vehicles, improving the environmental performance of existing modes of transport, and adopting appropriate pricing and other policies and regulations.

103 bis. Non-motorized transport is a major mode of mobility, particularly for low-income, vulnerable and disadvantaged groups. One structural measure to counteract the socio-economic marginalization of these groups is to foster their mobility by promoting affordable, efficient and energy-saving modes of transport.

Actions

104. In order to achieve sustainable transport in human settlements, Governments at the appropriate levels, in partnership with the private sector, the community sector and other relevant [stakeholders] should: 16/

(a) Support an integrated transport policy approach that explores the full array of technical and management options and pays due attention to the needs of all population groups, especially those whose mobility is constrained because of disability, age, poverty or any other factor;

(b) Coordinate land-use and transport planning in order to encourage spatial settlement patterns that facilitate access to such basic necessities as workplaces, schools, health care, places of worship, goods and services, and leisure, thereby reducing the need to travel;

(c) Encourage the use of an optimal combination of modes of transport, including walking, cycling and private and public means of transportation, through appropriate pricing, spatial settlement policies and regulatory measures;

(d) Promote and implement disincentive measures that discourage the increasing growth of private motorized traffic and reduce congestion, which is damaging environmentally, economically and socially, and to human health and safety, through pricing, traffic regulation, parking and land-use planning and traffic abatement methods, and by providing or encouraging effective alternative transport methods, particularly to the most congested areas;

(e) Provide or promote an effective, affordable, physically accessible and environmentally sound public transport and communication system, giving priority to collective means of transport with adequate carrying capacity and frequency that support basic needs and the main traffic flows;

(f) Promote, regulate and enforce quiet, use-efficient and low-polluting technologies, including fuel-efficient engine and emissions controls and fuel

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16/ The results of the informal negotiations of Working Group II, subgroup B, on paragraphs 104, 105 and 106 were omitted by an oversight from document A/CONF.165/PC.3/L.3/Add.7. They have been included in the present text.

with a low level of polluting emissions and impact on the atmosphere and other alternative forms of energy;

(g) Encourage and promote public access to electronic information services.

105. Paragraph deleted.

106. Historical places, objects and manifestations of cultural and scientific, symbolic, spiritual and religious values are important expressions of the culture, identity and religious beliefs of societies. Their role and importance, particularly in the light of the need for cultural identity and continuity in a rapidly changing world, need to be promoted. Buildings, spaces, places and landscapes charged with spiritual and religious values represent an important element of stable and humane social life and community pride. Conservation, rehabilitation and culturally sensitive adaptive re-use of urban, rural and architectural heritage are also in accordance with the sustainable use of natural and human-made resources. Access to culture and the cultural dimension of development is of the utmost importance and all people should be able to benefit from such access.

7. Conservation and rehabilitation of the historical and cultural heritage

107. To promote historical and cultural continuity and to encourage broad civic participation in all kinds of cultural activities, Governments at the appropriate levels, including local authorities, should:

(a) Identify and document, whenever possible, the historical and cultural significance of areas, sites, landscapes, ecosystems, buildings, and other objects and manifestations and establish conservation goals relevant to the cultural and spiritual development of society;

(b) Promote the awareness of such heritage in order to highlight its value and the need for its conservation and the financial viability of rehabilitation;

(c) Encourage and support local heritage and cultural institutions, associations and communities in their conservation and rehabilitation efforts and inculcate in children and youth an adequate sense of their heritage;

(d) Promote adequate financial and legal support for the effective protection of the cultural heritage;

(e) Promote education and training in traditional skills in all disciplines appropriate to the conservation and promotion of heritage;

(f) Promote the active role of older persons as custodians of cultural heritage, knowledge, trades and skills.

Actions

108. To integrate development with conservation and rehabilitation goals, Governments at the appropriate levels, including local authorities, should:

(a) Recognize that the historical and cultural heritage is an important asset, and strive to maintain the social, cultural and economic viability of historically and culturally important sites and communities;

(b) Preserve the inherited historic settlement and landscape forms, while protecting the integrity of the historic urban fabric and guiding new construction in historic areas;

(c) Provide adequate legal and financial support for the implementation of conservation and rehabilitation activities, in particular through adequate training of specialized human resources;

(d) Promote incentives for such conservation and rehabilitation to public, private and non-profit developers;

(e) Promote community-based action for the conservation, rehabilitation, regeneration and maintenance of neighbourhoods;

(f) Support public and private sector and community partnerships for the rehabilitation of inner cities and neighbourhoods;

(g) Ensure the incorporation of environmental concerns in conservation and rehabilitation projects;

(h) Take measures to reduce acid rain and other types of environmental pollution that damage buildings and other items of cultural and historical value;

(i) Adopt human settlements planning policies, including transport and other infrastructure policies, that avoid environmental degradation of historic and cultural areas;

(j) Ensure that the accessibility concerns of people with disabilities are incorporated in conservation and rehabilitation projects.

8. Improving urban economies

109. Urban economies are integral to the process of economic transformation and development. They are a prerequisite for the creation of a diversified economic base capable of generating employment opportunities. Many new jobs will need to be created in urban areas. Cities currently generate more than half of national economic activities world wide. If other factors, such as growth of the population of cities and migration to cities, are addressed effectively through, inter alia, urban planning and control of the negative impacts of urbanization, cities could develop the capacity to maintain their productivity, to improve the living conditions of their residents and to manage natural resources in an

ecologically sustainable way. Industry, together with trade and services, provides the main impetus to this process.

110. Cities have traditionally served as economic centres and have become the primary providers of services. As engines of economic growth and development they function within a network of supporting economic activities located in their peri-urban and surrounding rural areas. For this reason, specific actions also need to be taken to develop and maintain efficient and affordable transport, information and communications systems and linkages with other urban centres and with rural areas and to seek reasonably balanced patterns of development, both geographically and economically. Rapid changes in production technologies and in trade and consumption patterns will lead to changes in urban spatial structures that, notwithstanding their nature, need to be addressed.

111. Economic development and the provision of services can be enhanced through improved human settlements activities, such as urban revitalization, construction, upgrading and maintenance of infrastructural facilities, and building and civil works. These activities are also important growth factors in the generation of employment, income and efficiency in other sectors of the economy. In turn, in combination with appropriate environmental protection policies, they result in the sustainable improvement of the living conditions of city residents as well as of the efficiency and productivity of countries.

Actions

112. To establish an effective financial base for urban development, Governments at the appropriate levels, including local authorities, in cooperation with trade unions, consumer organizations, business, industry, trade organizations and the financial sector, including the cooperatively organized business sector and non-governmental organizations, as appropriate, should:

(a) Formulate and implement financial policies that stimulate a broad range of urban employment opportunities;

(b) Encourage the formation of new public-private sector partnerships for institutions that are privately owned and managed but public in their function and purpose, and promote transparency and accountability of their operations.

113. To provide opportunities for productive employment and private investment, Governments at the appropriate levels, including local authorities, in consultation with workers' and employers' organizations, chambers of commerce, industry, trade and consumer organizations, professional associations and the financial sector, including the cooperative sector, and in the context of comprehensive urban planning, should:

(a) Implement sustainable urban development policies that take account of and respond effectively to the needs of locally owned enterprises, and are not detrimental to the natural and human environment;

(b) Facilitate access to all levels of education and training;

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(c) Promote an adequate supply and the environmentally sound allocation of sufficiently serviced land for the needs of the business community, with due regard to the needs of small and medium-sized enterprises;

(d) Offer opportunities for urban economic activities by facilitating the access of new and emerging businesses, and small and medium-sized enterprises, including the informal sector, to credit and finance, and by streamlining legal and administrative procedures;

(e) Facilitate, where appropriate, the opportunity for urban horticulture;

(f) Assist informal sector enterprises to become more productive and progressively integrated into the formal economy;

(g) Consider designating select areas for redevelopment within urban centres by providing packages of fiscal and financial incentives along with appropriate regulatory arrangements and the development of partnerships.

114. To provide opportunities for small businesses and for the micro-enterprise and cooperative sectors, Governments at the appropriate levels, including local authorities, in consultation with non-governmental organizations, community-based organizations, and financial and vocational training institutions, should, as appropriate:

(a) Facilitate the extension to the informal sector of the protection of human rights in the field of labour, and promote respect for the relevant conventions of the International Labour Organization, including those on the prohibition of forced and child labour, freedom of association, the right to organize and bargain collectively, and the principle of non-discrimination;

(b) Promote and strengthen, as appropriate, programmes that integrate credit, finance, vocational training and technological transfer programmes in support of small and micro-enterprises and enterprises in the cooperative sector, particularly those developed and utilized by women;

(c) Encourage fair treatment of the informal sector, promote the use of environmentally sound practices and encourage links between financial institutions and non-governmental organizations that support the informal sector, where it exists;

(d) Integrate, where appropriate, the needs of the growing informal sector within planning, design and management systems, by inter alia, promoting its participation in the planning and decision-making process and by strengthening its linkages with the formal economy;

(e) Promote training for small and micro-enterprises and enterprises in the cooperative sector and support them in their efforts to improve their products, services, technology and distribution networks and to identify new market opportunities.

115. To strengthen urban economies so that they may be competitive in a globalizing economy, Governments at the appropriate levels, including local authorities, in consultation with all [stakeholders], should, inter alia:

(a) Improve education and enhance job training in order to improve the quality of the local workforce;

(b) Support the restructuring of local industries, where appropriate, develop urban infrastructure and services, promote a reliable, efficient and environmentally sound supply of energy and enhance telecommunication networks;

(c) Review and revise, as appropriate, the regulatory framework in order to attract private investment;

(d) Prevent crime and enhance public safety in order to make urban areas more attractive for economic, social and cultural activities;

(e) Encourage sound financial practices at all levels of government;

(f) Promote legislative action that may be necessary to implement the above.

116. To alleviate the adverse impacts of measures for structural and economic transition, Governments at the appropriate levels, including, where appropriate, local authorities, should:

(a) Promote an integrated approach by addressing the social, economic and environmental consequences of reforms on the development needs of human settlements;

(b) Promote the integrated functioning of housing markets so as to avoid segregation of the social housing sector;

(c) Implement appropriate basic social programmes and adequate resource allocation, in particular those measures affecting people living in poverty, people with disabilities, other vulnerable segments of society, micro-enterprises and other small businesses;

(d) Review the impact of structural adjustment on social development by paying particular attention to gender-sensitive assessments;

(e) Design policies to promote more equitable and enhanced access to income and resources;

(f) Support, as appropriate, public and private enterprises in their efforts to adapt to the changing requirements of technological and human resources development.

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9. Balanced development of settlements in rural regions

117. Urban and rural areas are interdependent economically, socially and environmentally. At the turn of the century, a substantial proportion of the world's population will continue to live in rural settlements, particularly in developing countries. In order to achieve a more sustainable future for the Earth, these rural settlements need to be valued and supported. Insufficient infrastructure and services, lack of environmentally sound technology, and pollution resulting from the adverse impacts of unsustainable industrialization and urbanization contribute significantly to the degradation of the rural environment. Additionally, the lack of employment opportunities in rural areas increases rural-to-urban migration and results in a loss of human capacity in rural communities. Policies and programmes for the sustainable development of rural areas that integrate rural regions into the national economy require strong local and national institutions for the planning and management of human settlements that place an emphasis on rural-urban linkages and treat villages and cities as two ends of a human settlements continuum.

118. In many countries, rural populations, including indigenous people, play an important role in ensuring food security and in sustaining the social and ecological balance over large tracts of land and thus contribute significantly to the task of protecting biodiversity and fragile ecosystems and to the sustainable use of biological resources.

Actions

119. To promote the sustainable development of rural settlements and to reduce rural-to-urban migration, Governments at the appropriate levels, including local authorities, should:

(a) Promote the active participation of all [stakeholders], including those in isolated and remote communities, in ensuring the integrated consideration of the environmental, social and economic objectives of rural development efforts;

(b) Take appropriate measures to improve the living and working conditions in regional urban centres, small towns and rural service centres;

(c) Foster a sustainable and diversified agricultural system in order to have vibrant rural communities;

(d) Provide infrastructure, services and incentives for investment in rural areas;

(e) Promote education and training in rural areas to facilitate employment and the use of appropriate technology.

120. To promote the utilization of new and improved technologies and appropriate traditional practices in rural settlements development, Governments at the appropriate levels, including local authorities, in cooperation with the private sector, should:

(a) Improve access to information on agricultural production, marketing and pricing in rural and remote areas by using, inter alia, advanced and accessible communication technologies;

(b) In cooperation with farmers' organizations, women's groups and other [stakeholders], promote research and the dissemination of research findings in traditional, new and improved technologies for, inter alia, agriculture, aquaculture, forestry and agro-forestry.

121. In establishing policies for sustainable regional development and management, Governments at the appropriate levels, including local authorities, should:

(a) Promote education and training programmes and establish procedures for the full participation of rural and indigenous people in the setting of priorities for balanced and ecologically viable regional development;

(b) Make full use of geographic information systems and environmental assessment methods for the preparation of environmentally sound regional development policies;

(c) Implement regional and rural development plans and programmes based on needs and economic viability, [consistent with the goal of sustainable development];

(d) Establish an efficient and transparent system for the allocation of resources to rural areas based on people's needs, [consistent with the goal of sustainable development].

122. To strengthen [sustainable development and] employment opportunities in impoverished rural areas, Governments at the appropriate levels, including local authorities, should:

(a) Stimulate rural development by enhancing employment opportunities, providing educational and health facilities and services, improving housing, strengthening technical infrastructure and encouraging rural enterprises and sustainable agriculture;

(b) Establish priorities for regional infrastructure investments based on opportunities for economic return, social equity and environmental quality;

(c) Encourage the private sector to develop and strengthen contract-based wholesale markets and marketing intermediaries for rural products so as to improve and/or establish a cash-flow and futures contract economy in rural areas;

(d) Promote equitable and efficient access to markets as well as, where appropriate, pricing and payment systems for rural products, especially of food items consumed in urban areas;

(d bis) Promote products from rural areas in urban markets and rural service centres by improving access to market information and distribution centres and networks;

(e) Reduce significantly or eliminate environmentally harmful subsidies and other programmes, such as those that stimulate the excessive use of pesticides and chemical fertilizers, and price control or subsidy systems that perpetuate unsustainable practices and production systems in rural and agricultural economies.

123. An integrated approach is required to promote balanced and mutually supportive urban-rural development. To achieve this objective, Governments at the appropriate levels, including local authorities, with the support of the relevant international and regional institutions, should:

(a) Provide an appropriate legal, fiscal and organizational framework that is suitable for strengthening the networks of small and medium-sized settlements in rural areas;

(a bis) Facilitate the development of an efficient communication and distribution infrastructure for the exchange of information, labour, goods, services and capital between urban and rural areas;

(b) Promote broad cooperation among local communities to find integrated solutions for land-use, transport and environmental problems in an urban-rural context;

(c) Pursue a participatory approach to balanced and mutually supportive urban-rural development, based on a continuous dialogue among the [stakeholders] involved in urban-rural development.

10. Disaster prevention, mitigation, preparedness and post-disaster rehabilitation capabilities

124. The impact on people and human settlements of natural and human-made disasters is becoming greater. Disasters are frequently caused by vulnerabilities created by human actions, such as uncontrolled or inadequately planned human settlements, lack of basic infrastructure and the occupation of disaster-prone areas. Armed conflicts also have consequences that affect human settlements and the country as a whole and call for specific rehabilitation and reconstruction processes that may necessitate international involvement, at the request of the Government of the country concerned. The impact of such disasters and emergencies is especially severe in countries where prevention, preparedness, mitigation and response capacities are ineffective in dealing with such situations.

125. The most efficient and effective disaster preparedness systems and capabilities for post-disaster response are usually provided through volunteer contributions and local authority actions at the neighbourhood level. These can operate independently, irrespective of reduced, damaged or destroyed infrastructure or capacity elsewhere. Specific actions are also required at the

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appropriate levels of Government, including local authorities, in partnership with the private sector and in close coordination with all community groups, to put into place disaster preparedness and response capacities that are coordinated in their planning but flexible in their implementation. The reduction of vulnerability, as well as the capacity to respond, to disasters is directly related to the degree of decentralized access to information, communication and decision-making and the control of resources. National and international cooperation networks can facilitate rapid access to specialist expertise, which can help to build capacities for disaster reduction, to provide early warning of impending disasters and to mitigate their effects. Women and children are the most affected in situations of disaster, and their needs should be considered at all stages of disaster management. Women's active involvement in disaster planning and management should be encouraged.

Actions

126. In improving natural and human-made disaster prevention, preparedness, mitigation and response, Governments at the appropriate levels, including local authorities, and in close consultation and cooperation with such entities as insurance companies, non-governmental organizations, community-based organizations, organized communities, and the academic, health and scientific community, should:

(a) Develop, adopt and enforce appropriate norms and by-laws for land-use, building and planning standards that are based on professionally established hazard and vulnerability assessments;

(a *bis*) Ensure the participation in disaster planning and management of all [stakeholders], including women, children, the elderly and people with disabilities, in recognition of their particular vulnerability to human-made and natural disasters;

(b) Encourage continued mobilization of domestic and international resources for disaster reduction activities;

(c) Promote and disseminate information on disaster-resistant construction methods and technologies for buildings and public works in general;

(d) Devise programmes to facilitate, where possible, voluntary relocation and access by all people to areas that are less disaster-prone;

(e) Develop training programmes on disaster-resistant construction methods for designers, contractors and builders. Some programmes should be directed particularly towards small enterprises, which build the great majority of housing and other small buildings in the developing countries;

(f) Take measures to upgrade, where necessary, the resistance of important infrastructure, lifelines and critical facilities, in particular where damage can cause secondary disasters and/or constrain emergency relief operations.

[126 *bis*. As a consequence of the development and testing of nuclear weapons, there is a need for the safe resettlement of displaced populations and the

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restoration of economic activity to the affected areas, especially for small island developing States and coastal regions. Noting the special responsibility for the people of the former United Nations Trust Territories who have been adversely affected as a result of the nuclear-weapons tests conducted during the period of trusteeship, all Governments and international organizations that have expertise in the field of clean-up and disposal of radioactive contaminants should consider giving appropriate assistance as may be required for remedial purposes in areas affected by radioactive contamination from nuclear weapons programmes.]

127. With respect to mitigation of disasters, Governments at the appropriate levels, including local authorities, in partnership with all [stakeholders], should, as appropriate:

(a) Establish a comprehensive information system that identifies and assesses the risks involved in disaster-prone areas and integrate it into human settlements planning and design;

(b) Promote and support low-cost, attainable solutions and innovative approaches to addressing critical risks of vulnerable communities, through, inter alia, risk-mapping and community-focused vulnerability reduction programmes;

(c) Introduce a clear delineation of the roles and responsibilities of, and communication channels among, the various key functions and actors in pre-event disaster management, mitigation and preparedness activities, such as hazard and risk assessment, monitoring, prediction, prevention, relief, resettlement and emergency response;

(d) Promote and encourage all parts of society to participate in disaster preparedness planning in such areas as water and food storage, fuel and first-aid, and in disaster prevention through activities that build a culture of safety;

(e) Strengthen and/or develop global, regional, national and local early-warning systems to alert populations to impending disasters.

127 bis. In order to prevent technological and industrial disasters, Governments at the appropriate levels, including local authorities, as appropriate, should:

(a) Pursue the objectives of preventing major technological accidents and limiting their consequences through, inter alia, land-use policies and the promotion of safe technology;

(b) Take the necessary measures to control the siting of new developments surrounding dangerous industrial activities that may be liable to increase the risk of the effects of a major accident through appropriate consultation procedures to facilitate the implementation of the policies established under subparagraph (a) above;

(c) Introduce a clear definition of roles and responsibilities and of communication channels between the various key functions of disaster preparedness and prevention, including assessment, monitoring, prediction, prevention, relief, resettlement and emergency response;

(d) Promote and encourage broad-based participation in disaster preparedness activities by giving to the population living in the vicinity of a dangerous activity adequate and regular information on the potential hazards;

(e) Strengthen and/or develop global, regional and local early-warning systems to alert populations in case of a major technological accident.

128. In preparing for and implementing post-disaster relief, rehabilitation, reconstruction, and resettlement, Governments at the appropriate levels, including local authorities, in partnership with all [stakeholders], should:

(a) Establish or strengthen disaster preparedness and response systems that clearly define the roles and responsibilities of, and communication channels between, the various functions and actors in disaster preparedness, and in post-event disaster management, including emergency management, relief and rehabilitation;

(b) Devise exercises to test emergency response and relief plans, promote research on the technical, social and economic aspects of post-disaster reconstruction and adopt effective strategies and guidelines for post-disaster reconstruction;

(c) Establish reliable communications, and response and decision-making capabilities at the national, local and community levels;

(d) Establish contingency plans, management and assistance systems, and arrangements for rehabilitation, reconstruction and resettlement;

(e) Strengthen scientific and engineering capacities for damage assessment and monitoring and for special rehabilitation and reconstruction techniques;

(f) Support all relevant [stakeholders] in carrying out relief, rehabilitation and reconstruction activities;

(g) Identify and support approaches to cope with the urgent shelter requirements of returnees and internally displaced persons;

(h) Identify approaches to minimize interruption to attendance in schools;

(i) Support work for immediate removal of anti-personnel land-mines following the cessation of armed conflict;

(j) Ensure that the particular needs of women, children, persons with disabilities and vulnerable groups are considered in all communications, rescue, relocation, rehabilitation, and reconstruction;

(k) Promote a cultural dimension in post-disaster rehabilitation processes.

D. Capacity-building and institutional development

(Paragraphs 129-142)

Note on chapter IV, section D

The paragraphs of section D (129-142) were neither informally negotiated nor formally adopted by either Working Group II or the Plenary at the third session of the Preparatory Committee. For that reason, the text of the present chapter reproduces that of document A/CONF.165/PC.3/4. Pursuant to a decision of the Preparatory Committee on 16 February, the proposals for amendments under each paragraph, as they were presented by delegations and United Nations entities during the third session of the Preparatory Committee, are reproduced in document A/CONF.165/L.1/Add.1.

D. Capacity-building and institutional development

1. Introduction

129. Economically buoyant, socially vibrant and environmentally sound human settlements under conditions of continuing and rapid urbanization will increasingly depend on the capacity of all levels of government to reflect the priorities of communities, encouraging and guiding local development and forging partnerships between the private, public and community sectors. This can be achieved only through the effective decentralization of responsibilities and commensurate resources to key actors that are closest to and most representative of their constituencies, setting in motion a strategic and participatory urban management process rooted in a shared vision. This process of decentralization and the envisaged urban management process will place great demands on institutions, particularly in developing countries and countries with economies in transition. Capacity-building is thus to be directed towards supporting decentralization and the participatory urban management process.

130. An enabling strategy, capacity-building and institutional development should aim at empowering all key actors, particularly local authorities, the private sector, the cooperative sector, trade unions, non-governmental organizations and community-based organizations, to enable them to play an effective role in human settlements planning and management. Concerted efforts in human resources and leadership development, institutional reform, organizational and management development and continuous training and retooling are necessary at all levels. This can best be achieved by national and international local authority associations/networks and by other national and subnational capacity-building institutions, although they themselves may first require strengthening. In developing countries and countries with economies in transition, Governments should accord a high priority to implementing a comprehensive policy for capacity-building. The United Nations Centre for Human Settlements (Habitat) and other relevant United Nations agencies and international financial and other organizations should help them to develop their capacity, identify and assess their institution-building priorities and strengthen their management capacity.

2. Decentralization and strengthening of local authorities and their associations/networks

Actions

131. To ensure effective decentralization and strengthening of local authorities and their associations/networks, Governments at the appropriate levels, including local authorities, should:

(a) Adopt and adapt, as appropriate, policies and legal frameworks from other Member States that are implementing decentralization effectively;

(b) Review and revise, as appropriate, legislation to increase local autonomy in decision-making, implementation, and resource mobilization and use, especially with respect to human, technical and financial resources and local enterprise development, within the overall framework of a national, social, economic and environmental strategy;

(c) Support local authorities reviewing revenue-generating mechanisms;

(d) Facilitate the exchange of technology, experience and management expertise between local authorities in the delivery of services, expenditure control, resource mobilization, partnership-building and local enterprise development, inter alia, through technical twinning and exchange of experience programmes;

(e) Enhance the performance of local authorities by undertaking comparative analyses of, and disseminating information on innovative practices in, the delivery, operation and maintenance of public goods and services and in exploiting the fiscal potential of their cities;

(f) Help institutionalize broad-based participation in decision-making and management processes at the local level;

(g) Strengthen the capacity of local authorities to engage the local private and community sectors in goal-setting and in establishing local priorities and environmentally sound standards for infrastructure development and services delivery and local economic development;

(h) Promote policy dialogue between all levels of government and the private and community sectors to improve planning and coordination;

(i) Collect, analyse and disseminate, as appropriate, comparative data on the performance of local authorities in providing for the needs of their citizens;

(j) Reinforce measures to eradicate corruption and ensure greater transparency, efficiency and community participation in the management of local resources;

(k) Enable local authorities and their associations/networks to take initiatives in national and international cooperation and, in particular, to share good practice and innovative approaches to sustainable human settlements management;

(l) Develop, in cooperation with the United Nations Centre for Human Settlements (Habitat), associations/networks of local authorities and other international associations and organizations, a global and easily accessible information network to facilitate the exchange of experience, know-how and expertise.

3. Participation, civic engagement and government responsibility

132. Sustainable human settlements development requires the active engagement of civil society organizations, as well as the broad-based participation of all

people. It equally requires responsive, transparent and accountable governmental structures at all levels. Civic engagement and responsible government both necessitate the strengthening of participatory mechanisms, including access to justice and community-based action planning, which will ensure that all voices are heard in identifying problems and priorities, setting goals, exercising legal rights, determining service standards, mobilizing resources and implementing policies, programmes and projects.

Actions

133. To encourage and support participation, civic engagement and the fulfilment of governmental responsibilities, national Governments, local authorities and/or civil society organizations, as appropriate, should put into effect institutional and legal frameworks that facilitate and enable broad-based participation of all citizens in decision-making and in the implementation and monitoring of human settlements strategies, policies and programmes; these institutional and legal frameworks would be specifically aimed at, inter alia:

(a) Protecting the basic right to hold and express opinions and to disseminate ideas and information;

(b) Facilitating the formation of independent non-governmental local, national and international organizations;

(c) Providing full, timely and comprehensible information, without undue financial burden to the applicant;

(d) Undertaking civic education programmes, using all forms of the media and, education and information campaigns to promote a civic spirit and an awareness of civil rights and responsibilities and the means of exercising them, and of issues relating to sustainable economic development and the quality of life;

(e) Establishing regular and broad-based consultative mechanisms for involving civil society in decision-making;

(f) Establishing agenda-setting participatory mechanisms enabling citizens, communities and civil society organizations to play a proactive role in identifying and formulating new policies, plans and projects;

(g) Fostering an understanding of contractual relationships with the private and non-governmental sectors to acquire the skills for negotiating effective partnerships for project implementation, development and management that will maximize benefits for all citizens;

(h) Promoting equality and equity, incorporating gender considerations and involving vulnerable and low-income groups through institutional measures to ensure that their interests are represented in policy- and decision-making processes and through such techniques as advocacy training and seminars, including the development of mediation and consensus-building skills to facilitate effective networking and alliance formation;

(i) Improving access to judicial and administrative channels for affected groups so that they can challenge or seek redress from socially and environmentally harmful decisions and actions, including legal mechanisms to ensure that State bodies remain accountable for their actions, in accordance with their social and environmental obligations as defined in national legislation;

(j) Facilitating access to legal services by low-income groups through the provision of such facilities as legal aid and free legal advice centres;

(k) Strengthening the capacity of local authorities and civil society organizations to review social, economic and environmental policies affecting their communities and to set local priorities and contribute to the setting of local standards for services in such areas as basic education, public health, public safety, drug-abuse awareness and environmental management;

(l) Using new information technologies to promote the exchange of information, experiences and practices among citizens, groups of key actors and decision makers.

134. Human settlements managers need to draw on the skills and resources of a diversity of people and institutions at many levels. The scarcity of suitably qualified personnel and the weakness of institutional systems and technical capacity are among the main obstacles to the improvement of human settlements in many countries. In addition, the use of new skills, know-how and technology in all aspects of human settlements planning and management will be necessary. In countries where change is rapid, there is a need for Governments and the international community to ensure the effective development and transfer of leadership skills, management expertise, know-how and technology.

Actions

135. To improve human settlements management, Governments at the appropriate levels, including local authorities and their associations, should:

(a) Support training programmes for administrators and civic officials at all levels, as appropriate, to enhance leadership qualities;

(b) Establish private-public, community sector, business and economic forums to facilitate the transfer of management know-how and experience;

(c) Develop and implement comprehensive training, education and human resources development policies and programmes involving a wide range of local authority associations, as well as academic, research, training and educational institutions and the private sector, focusing on:

(i) The development of a multisectoral approach to human settlements development;

(ii) The training of trainers to develop a core capacity for institution-strengthening and capacity-building;

(iii) The development of local capacity to define needs and undertake or commission applied research, particularly in social and environmental impact assessments, local economic growth and job creation, and to incorporate the findings in management system;

(d) Develop information systems for the exchange, transfer and sharing of experience, expertise, know-how and technology in human settlements management;

(e) Encourage, as appropriate, the involvement of private-sector entities in improving public-sector management and administration and the formation of entities that are public in their function, private in their management and publicly privately funded;

(f) Develop programmes in conflict resolution.

4. Metropolitan planning and management

136. Although the managers of human settlements face many common challenges, those responsible for the management and development of metropolitan areas and mega-cities face unique problems caused by the size and complexity of their tasks and responsibilities. Among the characteristics of metropolitan areas that require special skills are increasing global competitiveness; their ethnically and culturally diverse populations; large concentrations of urban poverty; extensive infrastructure networks and transport and communications systems; their strategic role in national, regional and international production and consumption cycles, economic development, trade and finance; and their potential for severe environmental degradation. Large metropolitan areas and mega-cities also represent the largest potential risks of human, material and production-capacity loss in the case of natural and human-made disasters. In some countries, the lack of a metropolitan-wide authority creates difficulties in urban management.

Actions

137. To address the special needs of metropolitan areas, Governments at the appropriate levels, including local authorities, should:

(a) Promote metropolitan-wide planning and management strategies;

(b) Monitor and analyse the effectiveness and efficiency of metropolitan structures and administrative systems and incorporate the results into public policy for dealing with macroeconomic, social and environmental issues;

(c) Create a legislative framework and adopt organizational structures that ensure coordinated and efficient service delivery, resource mobilization and sustainable development throughout metropolitan areas;

(d) Strengthen the capacity and mandates of metropolitan authorities to deal effectively with issues of regional and national importance, such as land, energy and water resources management, environmental management, transport and communications, trade and finance, and social integration;

(e) Develop, or where necessary, create a core of professional staff trained in the technical aspects of planning and development of primary infrastructure and in emergency planning;

(f) Facilitate and promote policy dialogue and the exchange of experience, expertise, know-how and technology between metropolitan authorities in such areas as transport and communications, waste management, energy conservation, social welfare and environmental management.

5. Domestic financial resources and economic instruments

138. Funds to finance shelter and settlements development mainly come from domestic sources. Additional finance is increasingly being derived from international sources for the benefit of national Governments and local authorities. The largest impact on the financial base will derive, therefore, from improvements in economic development, sound financial practice and the capacity to mobilize domestic resources, control expenditure and manage budgets efficiently.

139. Financing the future of urban development and sustaining the economic viability of cities represents a particular challenge, which will require innovative systems of finance at the national and local levels. Effective partnerships between the public and private sectors are needed that combine local taxes on production and consumption with fiscal incentives for investment by industry, commerce, trade and the private service sector. New forms of municipal finance are needed to meet the future needs of urban economic development and the costs of supporting infrastructure and services.

Actions

140. To strengthen the national and local economic and financial base with a view to addressing the needs of sustainable human settlements development, Governments at the appropriate levels, including local authorities, should:

(a) Strengthen, as appropriate, the capacity of local authorities to attract investments;

(b) Adopt macroeconomic policies and frameworks that encourage increased domestic savings and facilitate their use in housing, basic infrastructure and settlements development;

(c) Develop efficient, equitable and buoyant sources of national and local revenues, including taxation, user charges, tariffs and betterment fees, to promote national and local capacity for capital investment in housing, infrastructure and basic services, and devise, as appropriate, new financial instruments that penalize environmental damage;

(d) Enhance national and local tax collection capabilities and expenditure control;

/...

(e) Strive for full cost recovery for urban services through user charges, while at the same time addressing the needs of the poor, inter alia, through pricing policies and, where appropriate, transparent subsidies;

(f) Support local efforts to encourage voluntary private and community sector partnerships and participation in building, operating and maintaining basic infrastructure and services;

(g) Rationalize and facilitate local authorities' access to national, regional and international capital markets and specialized lending institutions, inter alia, through instituting municipal credit rating and credit systems, bearing in mind the borrower's capacity to repay the debt;

(h) Facilitate the role of local authorities in forming partnerships with the private, community and cooperative sectors and institutions for local enterprise development;

(i) Institutionalize budget mechanisms, where appropriate, and accounting to enable local authorities to engage in medium- and long-term investment programmes;

(j) Establish transparent systems and procedures to ensure financial accountability;

(k) Institutionalize, where appropriate, transparent, intergovernmental transfer mechanisms that are timely, predictable and performance- and need-based;

(l) Attract private investment to urban development.

6. Information and communications

141. Recent developments in information technology, in conjunction with the liberalization of trade and the free flow of capital on a global scale, will bring about radical changes in the roles and functions of cities and their decision-making and resource allocation processes. Those Governments that make the necessary investments in information technology and infrastructure and enable and empower their citizens to make effective use of such technology can expect to foster tremendous productivity gains in industry, trade and commerce. This improved information technology should be appropriately and optimally utilized to preserve and share moral values and enhance and improve education, training and public awareness of the social, economic and environmental issues affecting the quality of life, and to facilitate access by all key actors and communities to the exchange of habitat practices, including those that uphold the rights of children, women and other vulnerable groups in the context of growing urbanization.

Actions

142. To improve the capacity to exploit these innovations, Governments and local authorities should:

(a) Upgrade information infrastructure and technology and encourage their use by all levels of government, public institutions and civil society organizations;

(b) Train key actors in the use of information technology;

(c) Develop methods of sharing experiences of local initiatives through electronic means, such as the Internet, networks and libraries, and of disseminating information on best practices;

(d) Encourage the participation of children, youth and educational institutions in the use of public libraries and communications networks;

(e) Facilitate the learning process through the dissemination of both successful and unsuccessful experiences in human settlements taken from the governmental, public, private and community sectors;

(f) Encourage policies that make information technology and services available and more accessible to the general public;

(g) Guarantee the free flow of, and access to, information in areas of public policy, decision-making and resource allocation.

E. International cooperation and coordination

(Paragraphs 143-157)

Note on chapter IV, section E

Paragraphs 143 to 157 were subject to informal negotiations, the results of which were made available as informal paper 2 during the third session of the Preparatory Committee, and were subsequently issued as document A/CONF.165/PC.3/L.3/Add.9. Due to insufficient time, they were not adopted by either Working Group II or the Plenary of the Preparatory Committee. Consequently, all of section E is in brackets as agreed by the Plenary on 16 February.

A number of delegations requested that, in addition to the text of the informally negotiated paragraphs 143 to 157, their proposed amendments to those paragraphs, as they were presented during the informal negotiations, be forwarded to the Conference for further negotiation. They appear in document A/CONF.165/CRP.1.

E. International cooperation and coordination 17/

1. Introduction

143. The goals of ensuring adequate shelter for all and making human settlements and communities productive, healthy, safe and more equitable and sustainable contribute to achieving world peace, development, stability and justice. International cooperation takes on added significance and importance in the light of recent trends in the globalization and the interdependence of the world economy. There is an urgent need to redefine and resuscitate the existing processes and structure of cooperation and to evolve new and innovative forms of cooperation with a view to enabling humankind to face the challenges posed by the development of rural and urban areas. Thus there is a need for the political will of all States and for specific action by the international community to establish and inspire new forms of cooperation, partnership, coordination and investment that include the local private sector in order to contribute effectively to the provision and improvement of shelter conditions in human settlements, especially in developing countries, taking into account the diversity of the human settlements needs among countries.

144. The formulation and implementation of strategies for human settlements development are the responsibility of each country at the national and local levels, and should take into account the economic, social and environmental diversity of conditions in each country. The overall decline in official development assistance, however, is a serious cause for concern. This trend has also been accompanied by considerable increases in international flows of capital and by increasing private sector involvement in infrastructure and services development and management. This shift from aid to trade clearly points to the need for the participation of the private sector in the shaping of international cooperation. The international community, including multilateral financial institutions, has an important role to play in providing additional resources to reinforce national efforts to foster an enabling environment so as to achieve the objectives of adequate shelter for all and the sustainable development of human settlements.

144 bis. [International cooperation assumes added significance and importance in the wake of recent trends in the globalization of the world economy, on the one hand, and the continued deterioration of the plight of developing countries, on the other. The problems resulting from poverty, urbanization, lack of adequate shelter, including social housing, rapid population growth, rural-urban migration, economic stagnation and social instability are especially acute.]

145. Innovative approaches and frameworks for international cooperation in the development and management of human settlements must be sought and developed to include the active participation of all levels of government, the private and cooperative sectors, non-governmental organizations and community-based organizations in decision-making, policy formulation and resource allocation, implementation and evaluation. These approaches and frameworks should also

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17/ All of section E remains in brackets. The present text reproduces that of document A/CONF.165/PC.3/L.3/Add.9.

include new and improved forms of cooperation and coordination between and among multilateral financial institutions, international organizations, and various organs and bodies of the United Nations system, including South-South, North-South and South-North exchanges of best practices, and the continuous development of tools and instruments for policy, planning and management, such as the application of shelter and urban indicators, human resources development and institutional capacity-building.

145 bis. These innovative approaches should also include new forms of cooperation and partnerships between multilateral and bilateral assistance agencies, on the one hand, and civil society organizations and local authorities, on the other, based on the principle of "decentralized cooperation". This implies recognition of the capacity of local authorities to develop international relations and cooperation, within the existing legal frameworks of each country, and their right to devote their own resources for that purpose and to be associated in the process of defining international human settlements policies. Governments and bilateral and multilateral aid agencies should commit themselves to encouraging decentralized cooperation between local authorities and to the strengthening of networks of associations of local authorities.

145 ter. [In recent years disparities in economic growth, environmental degradation and labour-market asymmetries have increased international migration and have had a profound impact on the spatial distribution of city populations, resulting in imbalances of human resources between countries of origin and countries of destination.]

2. An enabling international context

146. The process of urbanization is linked to economic development, social development and environmental protection, which are interdependent and mutually reinforcing components of sustainable development. The provision of adequate shelter for all and sustainable human settlements development are increasingly influenced by the global economy. In this context, it is imperative to enable all countries, especially developing countries, to improve living and working conditions in human settlements. This calls for an enabling international environment and for integrated approaches at the national and international levels that take account of the efforts of countries to implement programmes of economic reform or economic transition. Furthermore, technological developments are leading to major changes in the structure of employment. [It should be recognized that in social and economic terms the housing sector is a productive sector and should be treated on an equal basis with other productive sectors. Achievement of the goal of sustainable human settlements development at the global level would depend on fair and durable solutions of, inter alia, the issues of finance, debt, trade and transfer of technology.]

147. The international community should support Governments in their efforts to cope with the impact of these changes on human settlements within a framework of enabling strategies. The international community should promote:

(a) The establishment of an open, equitable, cooperative and mutually beneficial international economic environment;

(b) The coordination of macroeconomic policies at all levels so as to achieve an international financial system that is conducive to stable and sustained economic growth and sustainable development;

(c) An international financial system that is more conducive to stable and sustainable human settlements development through, inter alia, a higher degree of stability in international financial markets, a reduction of the risk of financial crisis, and lower real interest rates;

(d) An environment in all countries [including developing economies, economies in transition and developed economies] that attracts foreign and domestic direct investment and encourages savings;

(e) Enterprise development, productive investment and expanded access to open and dynamic markets in the context of an open, equitable, secure, non-discriminatory, predictable, transparent and multilateral rule-based international trading system [and to technologies for all people, especially those living in poverty and the disadvantaged, as well as for the least developed countries];

(f) Capacity-building in developing countries in all regions, particularly African countries and the least developed countries, and in countries with economies in transition;

(g) The strengthening and improvement of technical and financial assistance to developing countries in all regions to promote sustainable development and to overcome the hindrances to their full and effective participation in the world economy.

148. With specific reference to sustainable human settlements development and the provision of shelter, the international community should:

(a) Ensure that the benefits of global economic growth improve people's quality of life in all countries, regardless of where people live;

(b) Mobilize national and international financial resources for shelter provision and sustainable human settlements development;

(c) Facilitate increased access by all levels of government and the private sector in developing countries and in countries with economies in transition to international financial resources so as to enable them to attract investment in shelter and infrastructure for sustainable human settlements development;

(d) In a manner consistent with national legislation, seek to increase the ability of local authorities, non-governmental organizations and the private sector to link directly with global capital markets, in accordance with prudent safeguards in those markets, in order to finance their shelter and infrastructure programmes and to establish international and local mechanisms and instruments to facilitate risk sharing and credit enhancement for local, regional and national investing agencies;

(e) Promote strategies to ensure substantial and well-directed public and private investments in shelter, infrastructure, health, education and other basic services through, inter alia, the provision of appropriate technical and financial assistance;

[(f) Encourage international cooperation in order to address the negative impact of international migration through technical assistance, management know-how and exchange of information as well as by ensuring equitable wages and working conditions for both migrant and native workers;]

[(g) Continue to provide support to refugees in order to meet their needs, and to assist in assuring them a just, durable solution in accordance with relevant United Nations resolutions and international law, noting that sustainable human settlements can only be established for them in their land of origin.]

3. Financial resources and economic instruments

149. The demand for shelter and infrastructural services in human settlements is continuously increasing. Communities and countries, especially developing countries, have difficulties in mobilizing adequate financial resources to meet the rapidly rising costs of shelter, services, and physical infrastructure. [New and additional financial resources from various sources are necessary to achieve the goals of adequate shelter for all and sustainable human settlements development in an urbanizing world. The existing resources available to developing countries - public, private, multilateral, and bilateral - need to be enhanced through appropriate and flexible mechanisms and economic instruments to support sustainable human settlements development.]

150. The implementation of the Habitat Agenda, particularly in developing countries of all regions, especially those in Africa and the least developed countries, will require the mobilization of additional financial resources at the national and international levels and more effective development cooperation and assistance. This will require, inter alia: 18/

18/ It is intended that paragraph 150 should contain a series of specific subparagraphs. Consideration of the subparagraphs has not been completed, but it has been informally agreed that this could more effectively take place if these subparagraphs, and the alternative formulations that have been suggested for them, were organized under the following subject headings: general; official financial resources; partnerships; improving the effectiveness of financial resources; private financial resources; existing economic instruments; innovative economic instruments; and special financing needs/issues. It is emphasized that these headings are included only to facilitate the discussion. They will not appear in the final document. All the subparagraphs of paragraph 150 are in brackets.

[General

[(a) Translating the commitments of Habitat II into financial implications for the provision of adequate shelter and human settlements development in developing countries in all regions, particularly those in Africa and the least developed countries;

[(b) Promoting assistance for shelter and human settlements activities;

[Official financial resources

[(c) Raising the priority of adequate shelter for all and sustainable human settlements development among multilateral and bilateral donors and mobilizing their support for national, subregional and regional plans of action of developing countries, especially for interested beneficiary countries;

[(d) Striving to fulfil the target of 0.7 per cent of the gross national product of the developed countries for official development assistance and the target of 0.15 per cent of their gross national product for assistance to the least developed countries as soon as possible and to increase, where appropriate, the share of funding for sustainable human settlements development programmes;

[(e) Achieving the agreed targets of 0.7 per cent of gross national product for overall official development assistance, and 0.15 per cent of gross national product for assistance to the least developed countries, as soon as possible, and not later than the year 2000, and increasing the share of funding for adequate shelter and human settlements development programmes, commensurate with the scope and scale of activities required to achieve the objectives and goals of the Habitat Agenda;

[(f) Striving to ensure that structural adjustment programmes respond to the needs of sustainable human settlements development;

[(g) Inviting the international financial institutions to examine innovative approaches to assisting low-income countries with a high proportion of multilateral debt, with a view to alleviating their debt burden;

[Partnerships

[(h) Encouraging multilateral development institutions and donors to support countries in their efforts to pursue enabling strategies through which national and local governments, communities and the private and cooperative sectors can form partnerships to participate in shelter and sustainable human settlements development activities;

[(i) Inviting multilateral and bilateral donors to support countries, particularly developing countries, in their efforts to pursue enabling strategies through which governments, local authorities, communities and the private and cooperative sectors can form partnerships to participate in the provision of adequate shelter, including social housing and sustainable human settlements development activities;

[(j) Exploring ways and means to strengthen support and expand South-South cooperation based on the concept of triangular cooperation, partnership between developing and developed countries, and enhanced cooperation among developing countries;

[(k) Consolidating the solidarity of the international community and its organizations to provide adequate shelter for all and sustainable human settlements development for people living under foreign occupation;

[Improving the effectiveness of financial resources

[(l) Striving to enhance the effectiveness of existing official development assistance and other external financial flows through improving coordination between and among donors and United Nations operational activities, and through better coherence between those flows and internal sustainable human settlements strategies;

[(m) Supporting programmes that increase the effectiveness and transparent utilization of public and private resources, reduce wasteful and untargeted expenditure and increase access to housing and services for people living in poverty;

[(n) Recognizing the negative effect of excessive military expenditures, trade in arms, especially of arms that are particularly injurious or have indiscriminate effects, and excessive investment for arms production and acquisition;

[(o) Giving preference, wherever possible, to the utilization of competent national experts or, where necessary, of competent experts from within the subregion or region or from other developing countries in project and programme design, preparation and implementation, and to the building of local expertise where it does not exist;

[(p) Maximizing the efficiency of projects and programmes by keeping overhead costs to a minimum;

[(q) Integrating practical measures for reducing disaster vulnerability in development programmes and projects, in particular in the construction of buildings and communication systems, financed by the international community, and ensuring that such measures become an integral part of feasibility studies and project identification;

[Private financial resources

[(r) Developing economic policies to promote and mobilize domestic savings and attract external resources for productive investments, and seeking innovative sources of funding, both public and private, for adequate shelter and sustainable human settlements development programmes, while ensuring effective utilization of those resources;

[(s) Strengthening financial and technical assistance for community-based development and self-help programmes, and strengthening cooperation among

/...

Governments at all levels, community organizations, cooperatives, formal and informal banking institutions, private enterprises and international institutions, with the aim of mobilizing local savings, promoting the creation of local financial networks and increasing the availability of credit and market information to low-income individuals, women, and vulnerable and disadvantaged groups for shelter and human settlements development;

[(t) Facilitating access to global finances for those Governments and local authorities that are initiating or are involved in public-private partnership programmes;

[(u) Establishing and supporting linkages of informal credit mechanisms to the global pool of resources and increasing the access of the majority of the population to housing finance through participatory processes involving communities, non-governmental organizations, credit unions, global financial institutions and other relevant actors;

[Existing economic instruments

[(v) Attracting international flows of public finances for shelter provision and settlements development through appropriate economic instruments;

[(w) Considering means of facilitating foreign private sector investment in sustainable human settlements projects, particularly in the areas of infrastructure and transportation, for example through "build, operate, transfer" (BOT) schemes;

[(x) Assisting countries, particularly developing countries, in implementing effective and equitable pricing mechanisms for adequate shelter and sustainable human settlements, infrastructure and services in order to induce greater flows of private, domestic and global funds, while ensuring transparent and targeted subsidies for people living in poverty;

[(y) Examining appropriate debt-equity swapping measures in favour of shelter and infrastructure development in human settlements;

[Innovative economic instruments

[(z) Developing innovative sources of funding, both public and private, for human settlements development and creating a supportive environment for the mobilization of resources by civil society, including beneficiary and individual voluntary contributions;

[Special financing needs/issues

[(aa) Providing assistance for activities in the field of shelter and human settlements development in favour of people living in poverty, particularly women, and vulnerable groups, such as refugees, internally displaced persons, people with disabilities, street children, migrants and the homeless, through specific targeted grants;

[(bb) Promoting assistance for activities in the field of shelter and human settlements in favour of vulnerable groups, such as refugees, internally displaced persons, documented migrants and the homeless through specific targeted grants and other assistance programmes;

[(cc) Recognizing the need for shelter and human settlements development in order to address the special conditions of some countries experiencing natural and human-made disasters and the urgent need to reconstruct their economies and human settlements;

[(dd) Implementing the commitments of the international community to the special needs and vulnerabilities of human settlements in small island developing States, in particular by providing effective means, including adequate, predictable, new and additional resources, for human settlements programmes, in accordance with the Declaration of Barbados and on the basis of the relevant provisions of the Programme of Action for the Sustainable Development of Small Island Developing States;

[(ee) Providing international support and assistance to the land-locked developing countries and their neighbour transit developing countries in their efforts to implement the outcome of Habitat II, taking into account the challenges and problems characteristic of those countries;

[(ff) Agreeing on a mutual commitment between interested developed and developing country partners to allocate, on average, 20 per cent of official development assistance and 20 per cent of the national budget, respectively, to basic social programmes;

[(gg) Providing soft loans and grants to enable all countries to address specifically the needs of vulnerable groups.]

(The following paragraph is to be incorporated into section F in brackets)

[Set up an advisory centre to identify appropriate financial institutions, such as the African Development Bank and the World Bank, to assist member States to secure financial assistance/funding for the implementation of shelter and human settlements programmes.]

4. Technology transfer and information exchange

151. [The use and transfer of environmentally sound technologies that have a profound impact on consumption and production patterns are prerequisites for sustainable human settlements development. Advanced and appropriate technologies and the knowledge-based systems that support their application offer new opportunities for more efficient use of human, financial and material resources, more sustainable industrial practices and new sources of employment. International organizations, including the United Nations Centre for Human Settlements (Habitat), have an essential role to play in disseminating and facilitating access to information on available technologies and options for their transfer. It is understood that the transfer of technology includes

assurances of adequate protection of intellectual property and mutually agreed allocation of commercial benefits].

152. The international community, in promoting and facilitating the transfer of technology and expertise in support of the implementation of national plans of action, should:

(a) Establish and reinforce, as appropriate, global networks among all [stakeholders] to facilitate exchange of information on environmentally sound technologies, particularly those related to shelter and human settlements;

(b) Ensure that the process of technology transfer is fair and avoids the dumping of environmentally unsound technologies on the recipients;

(c) [Facilitate] [Develop and intensify] technical cooperation with and among all regions, including South-South cooperation, in order to exchange experiences, particularly on best practices, foster the development of technology and technical skills and increase the efficiency of shelter and human settlements policies and management, with the backing of coordinated and complementary support from multilateral and bilateral arrangements;

(c bis) Ensure the use of appropriate technology and the production of local building materials;

(d) Place special emphasis on the funding, promotion and dissemination of applied research, an innovation in all areas that could contribute to enhancing the capabilities of developing countries, particularly those in Africa and the least developed countries, to provide shelter, urban services, infrastructure and amenities to their communities;

(d bis) Support the development of international, subregional and regional networks of institutions involved in research, production, dissemination and commercialization of locally produced building materials;

[(e) Enhance the identification and dissemination of those new and promising technologies related to human settlements that generate employment and lower the cost of infrastructure, make basic services more affordable, and minimize detrimental environment impacts, and also identify specific roles for existing United Nations organizations, [especially the United Nations Centre for Human Settlements (Habitat)] which would promote these goals.]

5. Technical cooperation

[153. To face the challenges of a rapidly urbanizing world, there is need to ensure that international and regional networks facilitate more effectively the exchange and transfer of knowledge and experience on institutional, legal and regulatory frameworks, and disseminate best practices on sustainable human settlements in rural and urban areas. The United Nations Centre for Human Settlements (Habitat) should [play a central role and] act as a catalyst in the mobilization of technical cooperation. Opportunities for improved dissemination and exchange of ideas on technical cooperation at the national and international levels could be explored.]

154. More specifically, the international community should:

(a) Establish [within existing resources] cost-effective global information networks on human settlements in the form of permanent and "electronic" conferences that will contain updated information on the Global Plan of Action and on best practices, as well as progress reports on the implementation of national plans of action;

(b) Through global human settlements information networks, assist Governments at all levels, all major groups of actors and international development agencies in assessing information and policies, strategies, programmes and projects on sustainable human settlements development and the provision of shelter;

[(c) Under the leadership of the Commission on Human Settlements, and supported by the regional commissions and the United Nations Centre for Human Settlements (Habitat), develop awareness-building and information activities to ensure that human settlements development issues in general, and concerted policy and programme responses to urbanization in particular, are brought into the mainstream of the development objectives of the international community and national Governments;]

(d) With a view to supporting and facilitating national and local efforts in human settlements management, develop and strengthen capacity-building programmes and promote the exchange of experiences and policy responses to urbanization and integrated regional development within the framework of national development strategies;

(e) Through the secretariat of the Commission on Human Settlements, the United Nations Centre for Human Settlements (Habitat), supported by information gathered by the regional commissions, develop capacity-building strategies in order to enhance the capabilities of national and local authorities to identify and analyse critical human settlements issues, to formulate and effectively implement policies and programmes in response to them, and to manage efficiently the process of settlements development at the local level;

(e bis) Through appropriate institutions, continue to promote the capacity-building of developing countries, with the effective utilization of national experts;

(f) Continue to support technical cooperation programmes aimed at mitigating the effects of natural and human-made disasters and reconstruction activities in affected countries;

(g) Enable the United Nations Centre for Human Settlements (Habitat) [, within existing resources,] to provide technical, legal and institutional assistance to Governments at the appropriate levels, upon request, in particular, in closer cooperation with the capacity-building efforts of the United Nations Development Programme.

6. Institutional cooperation

155. The task of pursuing the goals of adequate shelter for all and sustainable human settlements development in the face of increasing global economic interaction necessitates international cooperation of public and private institutions operating in the area of human settlements development, whereby resources, information and capacities are pooled for a more effective response to human settlements problems.

[156. The Habitat Agenda adds new elements to the agenda for national actions and international cooperation, reaffirming and building on the results of the recent major United Nations conferences. Governments confirm the need for a coordinated follow-up to the major world conferences, including Habitat II. The very nature of urban challenges requires an integrated approach to sustainable development and thus increased cooperation and coherence. Existing intergovernmental bodies within the United Nations system should be used to promote communication and coordination between Governments and international bodies - including the Bretton Woods institutions and other organizations of the United Nations system, as well as other relevant [stakeholders] - and to strengthen a common perception of human settlements priorities.]

[156 bis. Implementation of the Habitat Agenda should take place within a coordinated framework that ensures that all the United Nations conferences receive comprehensive follow-up and that the agreed programmes of action are fully implemented, monitored and reviewed, together with the results of other recent United Nations conferences where they are related to human settlements. Those conferences include, in particular, the World Summit for Children, the United Nations Conference on Environment and Development, the World Conference on Human Rights, the World Conference on Natural Disaster Reduction, the Global Conference on the Sustainable Development of Small Island Developing States, the World Summit for Social Development, the International Conference on Population and Development and the Fourth World Conference on Women. This will require better coordination and cooperation between multilateral and bilateral partners and joint programming, leading to increased and more effective cooperation between the United Nations Centre for Human Settlements (Habitat) and other entities within and outside the United Nations system.]

157. Organizations of the United Nations system, including the Bretton Woods institutions, the regional and subregional development banks and funds, and bilateral support agencies [where appropriate] should:

(a) Establish and strengthen, where appropriate, cooperative mechanisms to integrate commitments and actions concerning sustainable human settlements development into their policies, programmes and operations, particularly those commitments and actions contained in the Habitat Agenda, taking into account the outcome of the relevant sections of other recent United Nations Conferences;

(b) Establish and strengthen partnerships with international associations of local authorities, non-governmental organizations and community-based organizations and with all other stakeholders to achieve the goals of the Conference;

(c) Develop activities aimed at strengthening the capacity of local authorities;

(d) Intensify their cooperation with non-governmental organizations, voluntary groups and community associations, and the private and cooperative sectors in sustainable human settlements development;

(e) Support public-private partnerships in shelter delivery, service provision and other development activities for sustainable human settlements;

(f) Encourage the involvement of all actors at the local level in reaching agreements on local measures, programmes and actions necessary to implement the Habitat Agenda, including the Global Plan of Action, and national plans of action through, inter alia, "local Agenda 21" processes, as mandated by the United Nations Conference on Environment and Development.

F. Implementation and follow-up of the Global Plan of Action
(Paragraphs 158-185)

Note on chapter IV, section F

Section F was informally negotiated during the third session of the Preparatory Committee. In document A/CONF.165/PC.3/4, as submitted to the Preparatory Committee, the section contained only five paragraphs (158-162) and was considered incomplete as the inter-sessional informal drafting group did not have sufficient time to consider this section in its entirety. The written proposals by delegations and others, as presented during the informal negotiations at the third session of the Preparatory Committee, focused, therefore, not only on amendments to existing paragraphs 158 to 162, but also on introducing new paragraphs.

At the conclusion of informal negotiations on section F, informal paper 3 was made available, containing paragraphs 158 to 184, which was subsequently issued as document A/CONF.165/PC.3/L.3/Add.10. The entire paper was bracketed. It was never adopted by either Working Group II or the Plenary. An additional paragraph (paragraph 185), informally negotiated, was omitted inadvertently from informal paper 3 and was issued separately. It is included here in brackets. The Plenary confirmed, on 16 February, that all the paragraphs of section F would be bracketed for the Conference.

There was a consensus among delegations that in addition to the text, in brackets, of paragraphs 158 to 185 as informally negotiated, the proposed amendments, as they were presented during informal negotiations, would be forwarded to the Conference for further negotiation. They appear in document A/CONF.165/CRP.1.

F. Implementation and follow-up of the Global Plan of Action 19/

1. Introduction

158. The long-term impact of the commitments made by Governments and the international community at Habitat II will depend on the implementation of actions agreed upon at all levels, including the local, national and international levels. Also, national plans of action and/or other relevant national programmes and actions on sustainable human settlements development and shelter provision will need to be developed or strengthened, where appropriate, and their implementation will need to be monitored and evaluated by Governments and their partners in sustainable development at the national level. Similarly progress in implementing the Global Plan of Action needs to be assessed with a view to encouraging and enabling all [stakeholders] to improve their performance and strengthen international cooperation.

2. Implementation at the national level

158 bis. Governments have the primary responsibility of implementing the Global Plan of Action. Governments as central partners will create and strengthen effective partnerships with families, communities, local authorities, the private sector, non-governmental organizations, women, youth, the elderly, vulnerable groups and indigenous people in each country. National mechanisms should be installed or improved, as appropriate, to coordinate actions at all relevant government levels that have an impact on human settlements and to assess this impact prior to governmental actions. Local authorities should be supported in their approach to implementing this Global Plan of Action inasmuch as local action is required. All appropriate participatory mechanisms, including local Agenda 21s, should be developed and employed.

3. Implementation at the international level

159. The effective implementation of the outcome of the United Nations Conference on Human Settlements (Habitat II) should take into account the integration of sustainable human settlements development with broader environmental, social and economic considerations. The main actors at the global level for the implementation and follow-up of the Habitat Agenda will continue to be States Members of the United Nations, the General Assembly, the Economic and Social Council, the Secretary-General of the United Nations, the United Nations Commission on Human Settlements and its secretariat, the United Nations Centre for Human Settlements (Habitat) and all the specialized agencies and programmes in the United Nations system engaged in activities pertaining to the provision of adequate shelter for all and sustainable human settlements development in an urbanizing world.

19/ All of section F remains in brackets. The present text reproduces that of document A/CONF.165/PC.3/L.3/Add.10, with the addition of paragraph 185.

4. Tracking progress on the Global Plan of Action

160. States Members of the United Nations should exert concerted efforts to achieve the implementation of the Habitat Agenda through bilateral, subregional, regional, and international mechanisms for cooperation, as well as through the United Nations system, including the Bretton Woods institutions.

161. The General Assembly, as the highest intergovernmental body, is the principal policy-making and appraisal organ on matters relating to the follow-up of Habitat II. At the special session of the General Assembly to be convened in 1997 for the purpose of an overall review and appraisal of Agenda 21, due attention should be given to the issue of human settlements in the context of sustainable development. The Assembly should include the follow-up to the Conference in its agenda as an item entitled "Implementation of the outcome of the second United Nations Conference on Human Settlements (Habitat II)". At its fifty-first session, it should review the outcome of the Conference as well as the steps required to implement the Habitat Agenda.

162. The General Assembly should hold a special session in the year 2006 for an overall mid-term review and appraisal of the implementation of the outcome of Habitat II and should consider further actions and initiatives.

163. The Economic and Social Council, in accordance with its role under the Charter of the United Nations and with the relevant resolutions and decisions of the Assembly and the Council, would oversee system-wide coordination in the implementation of the Global Plan of Action and make recommendations in this regard. The Council should be invited to review the implementation of the Global Plan of Action at its substantive session of 1997. As the coordinating body, the Council should be invited to review in 1997 the role and functioning of the Commission on Human Settlements, taking into account the need for synergy and effective coordination with other related commissions and conference follow-up, and with a view to ensuring a clear division of labour and coordination of multi-year programmes of work. In addition, it should consider dedicating one high-level segment of a substantive session before 2001 to human settlements and the implementation of the Global Plan of Action with the active involvement and participation of, _inter alia_, the specialized agencies, including the World Bank and the International Monetary Fund.

164. The Council may convene meetings of high-level representatives to promote international dialogue on the critical issues pertaining to adequate shelter for all and sustainable human settlements development as well as on policies for addressing them through international cooperation.

165. The Council, in the context of its role under the Charter of the United Nations _vis-à-vis_ the General Assembly and in accordance with the relevant Assembly resolutions, should facilitate system-wide coordination in the implementation of the outcome of Habitat II and make recommendations in this regard. It should look at ways to strengthen, consistent with the mandates of the Charter of the United Nations, its own role, authority, structures, resources and processes for bringing economic and social development agencies into a closer working relationship with it so that it can review progress made in implementing the outcome of Habitat II.

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166. The General Assembly and the Council should promote subregional and regional cooperation in the implementation of the Habitat Agenda. In this regard, the regional commissions, in cooperation with regional intergovernmental organizations and banks, should convene meetings at the highest political level to review progress made in implementing the outcome of Habitat II, to exchange views on their respective experiences, particularly on best practices, and to adopt appropriate measures. The regional commissions should report to the Council on the outcome of such meetings.

167. As a standing committee assisting the Economic and Social Council, the Commission on Human Settlements should have an important role in monitoring the implementation of the Global Plan of Action within the United Nations system.

168. The mandate of the Commission will be strengthened and expanded to incorporate and implement the Habitat Agenda. Similarly the United Nations Centre for Human Settlements (Habitat) will be strengthened and revitalized in accordance with the relevant resolutions of the General Assembly, with a view to enabling it to implement effectively the expanded mandate contained in the Habitat Agenda under the overall policy direction of the Commission on Human Settlements. The Centre should evolve into a highly competent technical secretariat capable of implementing the Habitat Agenda. For that purpose, the Centre will be restructured and strengthened to deal effectively with the Habitat Agenda.

169. The Commission on Human Settlements, under the Economic and Social Council, will have the following main objectives:

(a) To promote integrated and cohesive policies aimed at achieving the goals of the provision of adequate shelter for all and sustainable human settlements development in all countries, in accordance with the Habitat Agenda;

(b) To track progress in the implementation of the Habitat Agenda and activities related to shelter provision and sustainable human settlements development, including the relevant commitments contained in Agenda 21;

(c) To assist countries and regions in increasing and improving their own efforts to solve shelter and human settlements problems;

(d) To receive and analyse relevant inputs from Governments, local authorities and relevant non-governmental organizations in the context of the overall implementation of the Habitat Agenda;

(e) To promote greater international cooperation in order to increase the availability of resources to developing countries, especially those in Africa and the least developed countries;

(f) To provide appropriate recommendations to the General Assembly through the Economic and Social Council on the basis of an analysis and synthesis of the information received and to inform the Commission on Sustainable Development;

(g) To facilitate cooperation and partnerships in this domain among all countries and regions.

170. The Commission on Human Settlements will have the following main functions and responsibilities:

(a) To develop and promote policy objectives, priorities and guidelines regarding existing and planned programmes of work in the fields of adequate shelter and sustainable human settlements, as contained in the recommendations of the United Nations Conference on Human Settlements (Habitat II) and endorsed by the General Assembly;

(b) To lead the United Nations system, to cooperate with other international organizations in the fields of adequate shelter and sustainable human settlements and to propose, when appropriate, ways and means by which the overall policy objectives and goals in those fields within the United Nations system might be best achieved;

(c) To ensure that adequate shelter for all and sustainable human settlements development are implemented in harmony with the recommendations made by the United Nations Conference on Environment and Development, particularly chapter 7 of Agenda 21, and the declarations and plans of action relating to shelter and human settlements adopted by the World Summit for Children, the World Conference on Human Rights, the Global Conference on the Sustainable Development of Small Island Developing States, the International Conference on Population and Development, the World Summit for Social Development and the Fourth World Conference on Women;

(d) To promote the implementation of the recommendations contained in the Habitat Agenda that pertain to national actions recommended by the United Nations Conference on Human Settlements (Habitat II);

(e) To study in the context of the Habitat Agenda new issues and problems with a view to developing solutions for adequate shelter for all and sustainable human settlements, particularly those of a regional or international character;

(f) To continue to give overall policy guidance and carry out supervision of the operations of the United Nations Centre for Human Settlements, including the United Nations Habitat and Human Settlements Foundation;

(g) To review and approve periodically the utilization of funds at its disposal for carrying out shelter and human settlements development activities at the global, regional and subregional levels;

(h) To monitor and evaluate the progress made towards achieving the goals of the Habitat Agenda and recommend appropriate measures at the mid-term review to be undertaken in 2006 and alternative actions as deemed necessary to enhance the dynamic nature of the Agenda;

(i) To evaluate, at the mid-term review, through an international meeting or conference, the effective contribution of the private sector to the implementation of the Habitat Agenda.

171. The United Nations Centre for Human Settlements (Habitat), located in Nairobi, shall continue to service the Commission on Human Settlements and to

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serve as the focal point for action and the coordination of activities related to adequate shelter for all and sustainable human settlements within the United Nations system. The Centre shall be headed by an Executive Director, at the level of Under-Secretary-General, who shall report to the Secretary-General of the United Nations. The Centre shall be entrusted with the following responsibilities, among others:

(a) To ensure the harmonization of adequate shelter for all and sustainable human settlements development programmes planned and carried out by the United Nations system;

(b) To assist the Commission on Human Settlements in formulating recommendations for coordinating adequate shelter and sustainable human settlements development activities in the United Nations system, to keep them under review and to assess their effectiveness;

(c) To execute adequate shelter and human settlements development programmes and projects;

(d) To serve as the focal point for a global exchange of information about adequate shelter for all and human settlements development;

(e) To provide substantive support to the Commission on Human Settlements;

(f) To deal with interregional issues relating to adequate shelter for all and human settlements development;

(g) To supplement the resources of the regions in formulating and implementing adequate shelter for all and human settlements development programmes and projects when so required;

(h) To promote and consolidate collaboration with all partners, including private sector and non-governmental organizations, in the Habitat Agenda for adequate shelter and human settlements development;

(i) To maintain and update a global directory of consultants and advisers to supplement the skills available within the United Nations system and, where necessary, to assist in the recruitment of experts at the global level, including those belonging to developing countries;

(j) To initiate public information activities on adequate shelter for all and human settlements development in cooperation with the Department of Public Information of the United Nations Secretariat;

(k) To promote increased use of audio-visual and information technology relating to adequate shelter and human settlements development;

(l) To carry out any other mandate, responsibilities and functions entrusted to it by the General Assembly.

172. The United Nations Centre for Human Settlements (Habitat) and the secretariats of the regional commissions, as well as the principal financial and

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technical institutions and all other partners at the regional and global levels, should consolidate and expand cooperation and coordination in the fields of adequate shelter for all and sustainable human settlements development.

173. Within their mandates, other subsidiary bodies of the Economic and Social Council, such as the Commission on Sustainable Development and the Commission for Social Development, should give due regard to human settlements issues, as set out in the Global Plan of Action.

174. To promote the implementation of the Global Plan of Action at the regional and subregional levels, the regional commissions, in cooperation with the regional intergovernmental organizations and banks, could convene, on a biennial basis, a meeting at a high political level to review progress made in implementing outcomes, exchange views on respective experiences and adopt appropriate measures. The regional commissions should report to the Economic and Social Council through the appropriate mechanisms on the outcome of such meetings.

175. The Secretary-General is invited to ensure effective coordination of the implementation of the Global Plan of Action and adequate consideration of human settlements needs in all activities of the United Nations. The Administrative Committee on Coordination should review its procedures at the inter-agency level to ensure system-wide coordination and full participation of its entities in the implementation of the Global Plan of Action. These entities should examine their programmes to determine how they can best contribute to the coordinated implementation of the Global Plan of Action. The Committee should be invited to establish a task force on the Habitat Agenda. The United Nations Centre for Human Settlements (Habitat) should be added to the membership of the Administrative Committee on Coordination and to the task force on the Habitat Agenda.

176. The Secretary-General is invited to continue to ensure effective functioning of the United Nations Centre for Human Settlements (Habitat). In conjunction with the review of the mandate of the Commission on Human Settlements, the functions of the Centre should be assessed by the Economic and Social Council.

177. The important role of the Committee on Economic, Social and Cultural Rights in monitoring those aspects of the goals and principles, commitments and Global Plan of Action that relate to States parties' compliance with the International Covenant on Economic, Social and Cultural Rights should be emphasized.

178. To strengthen their support for actions at the national level and to enhance their contributions to an integrated and coordinated follow-up by the United Nations, the specialized agencies and other organizations of the United Nations system should identify the specific actions they will undertake to meet the priorities identified in the Global Plan of Action.

179. In order to improve the efficiency and effectiveness of United Nations organizations in providing support to the efforts for the provision of adequate shelter for all and sustainable human settlements development at the national level, and to enhance their capacity to achieve the objectives of Habitat II,

there is a need to renew, reform and revitalize the various parts of the United Nations system, in particular its operational activities. All specialized agencies and related organizations of the United Nations system are invited to strengthen and adjust their activities, programmes and medium-term strategies, as appropriate, to take into account the follow-up to Habitat II. The governing bodies of the following organizations should review their policies, programmes, budgets and activities in this regard:

(a) The United Nations Development Programme should enhance its efforts to support the implementation of the Habitat Agenda through its network of field offices;

(b) The International Labour Organization should coordinate and support concrete actions at the policy and programme levels for the implementation of the Habitat Agenda with regard to the expansion and protection of employment and work;

(c) The United Nations Children's Fund should consider integrating its Urban Basic Service Programmes, the Mayors' Defenders of Children Initiative, and the Decentralization of the UNICEF National Plans of Action with the Habitat Agenda through broad partnerships for sustainable community development and community management;

(d) The United Nations Conference on Trade and Development should contribute to the analysis and monitoring of major trends of urbanization and the impact of urban and rural policies in connection with changes in the global economic environment;

(e) The United Nations Environment Programme should develop and promote policies to enhance the environment and to integrate environmental considerations into human settlements development and adequate shelter for all and catalyse action to achieve these goals at the international, regional, subregional and national levels;

(f) The United Nations Population Fund, in coordination and cooperation with other United Nations entities, should pursue activities related to basic social services for all;

(g) The United Nations Industrial Development Organization in implementing the Habitat Agenda should address areas that require the competitiveness of export-oriented enterprises and competitive local and national enterprise growth;

(h) The World Health Organization should be guided in the implementation of the Habitat Agenda by the global importance of health issues, the linkage of those issues to sustainable human settlements and adequate shelter, the close relationship between public health and basic urban and rural services, and the need to place human beings at the centre of development.

180. International financial institutions should contribute to the mobilization of resources for the implementation of the Habitat Agenda. To this end, the relevant institutions are urged to take the following measures:

(a) The World Bank, the International Monetary Fund, the regional and subregional development banks and funds and all other international finance organizations should further integrate adequate shelter for all and sustainable human settlements development goals in their policies, programmes and operations, for example by giving higher priority to these goals, where applicable, in their lending programmes;

(b) The Bretton Woods institutions and other organizations and bodies of the United Nations system should work together with concerned countries, particularly developing countries, to improve policy dialogues and develop new initiatives to ensure that structural adjustment programmes promote sustained economic growth, giving particular attention to the necessity of providing adequate shelter for all and sustainable human settlements development to people living in poverty and other vulnerable groups;

(c) The United Nations system, including the Bretton Woods institutions and other United Nations specialized agencies, should expand and improve their cooperation in the field of adequate shelter for all and sustainable human settlements development to ensure that efforts are complementary and, where possible, should combine resources in joint initiatives for adequate shelter for all and sustainable human settlements development built around the objectives of Habitat II;

(d) The World Trade Organization should consider how it might contribute to the implementation of the Habitat Agenda, including activities in cooperation with the United Nations system.

5. Indicators, best practices and performance evaluation

181. It is essential to evaluate the impact of policies, strategies and actions on the provision of adequate shelter and the achievement of sustainable human settlements development. The results of these evaluations will be considered by the relevant United Nations organs and bodies, including the Commission on Human Settlements. The United Nations Centre for Human Settlements (Habitat), together with other relevant organizations, will establish an appropriate process for analysing and monitoring major trends in urbanization and the impact of urban policies. In particular, information on the impact of urbanization on vulnerable and disadvantaged groups, including children, should be collected.

182. All partners in the Habitat Agenda, including local authorities, the private sector and communities, will regularly monitor and evaluate their own performances in the implementation of the Habitat Agenda through comparable human settlements and shelter indicators and documented best practices, the guidelines for which will be provided by the United Nations Centre on Human Settlements (Habitat). The data collection and analysis capabilities of all these partners will be strengthened and assisted at the national, subregional and global levels.

183. As part of their commitment to strengthening their existing shelter- and settlements-related data collection and analysis capabilities, Governments at the appropriate levels, including local authorities, should continue to identify

and disseminate best practices, and should develop and apply shelter and human settlements development indicators. This and other relevant information, as appropriate, will be used for assessing national implementation of the Global Plan of Action. Such information could be considered within the framework of an appropriate consolidated reporting system of the United Nations, taking into account the different reporting procedures in the economic, social and environmental fields.

184. The United Nations Centre for Human Settlements (Habitat) will be designated as the Global Habitat Observatory to promote, monitor and evaluate trends and progress in the implementation of the Habitat Agenda through locally, nationally and regionally supported indicators and best practices programmes. It should continue to produce and publish the Global State of Human Settlements Report and other periodical monitoring and evaluation publications to track progress in the implementation of the Habitat Agenda.

185. The Centre, as focal point, should:

(a) Set up an advisory secretariat/centre to assist Member States in developing their national housing and urban indicators for at least one major city;

(b) Set up a research centre to assist Member States in undertaking studies and research on sustainable approaches and methods concerning building materials and construction technology and disseminate such information to all Member States.
